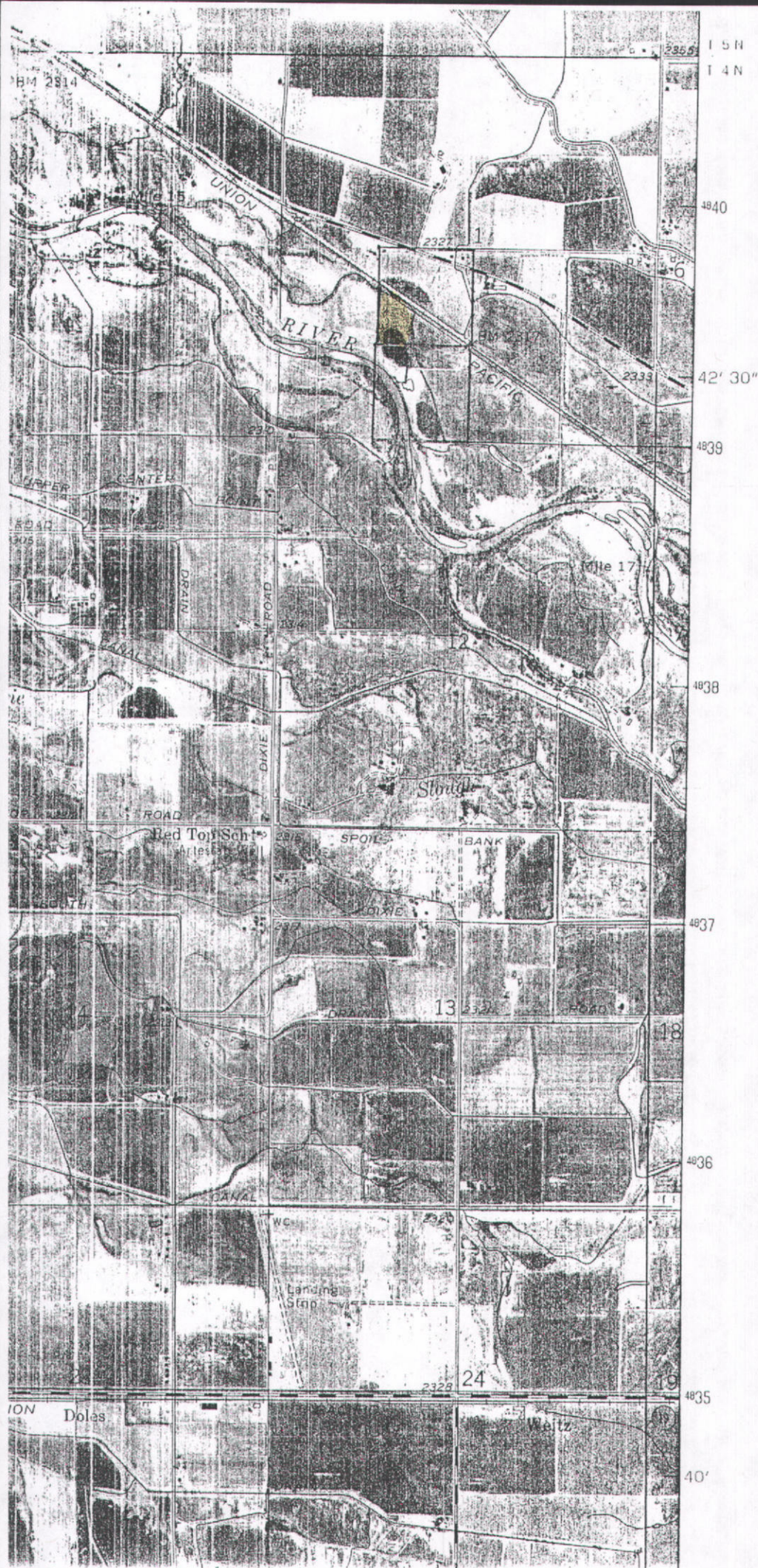
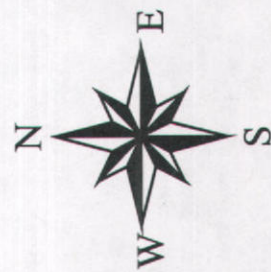


T 5 N
T 4 N



MICROFILMED
AUG 20 1992

Wessels deed.dxf
7
Sections
GCDB04N04W GCDB





Bureau of Land Management - General Land Office Records

[Search Land Patents](#)[Search Surveys](#)[Visitors Center](#)[FAQ](#)

Survey Details

[Home](#) > [Survey Search](#) > [Results List](#) > [Survey Details](#)

Original Survey

• Twp 4N-4W, ID, Boise (Subdiv. Lines)

Survey Details

Plat Details

Plat Image

Field Note Images

Page 1

Description: --



Basic Viewer

[JavaScript Viewer](#)[Plug-In Viewer](#)[Download Image File](#)

- Want to try one of our more powerful viewers? Please check our [Browser Compatibility Guide for Viewers](#).

Idaho Department of Water Resources

T04N, R03W,
SEC 7

T04N, R04W,
SEC 1



Place of Use



Section Lines



1/4 1/4



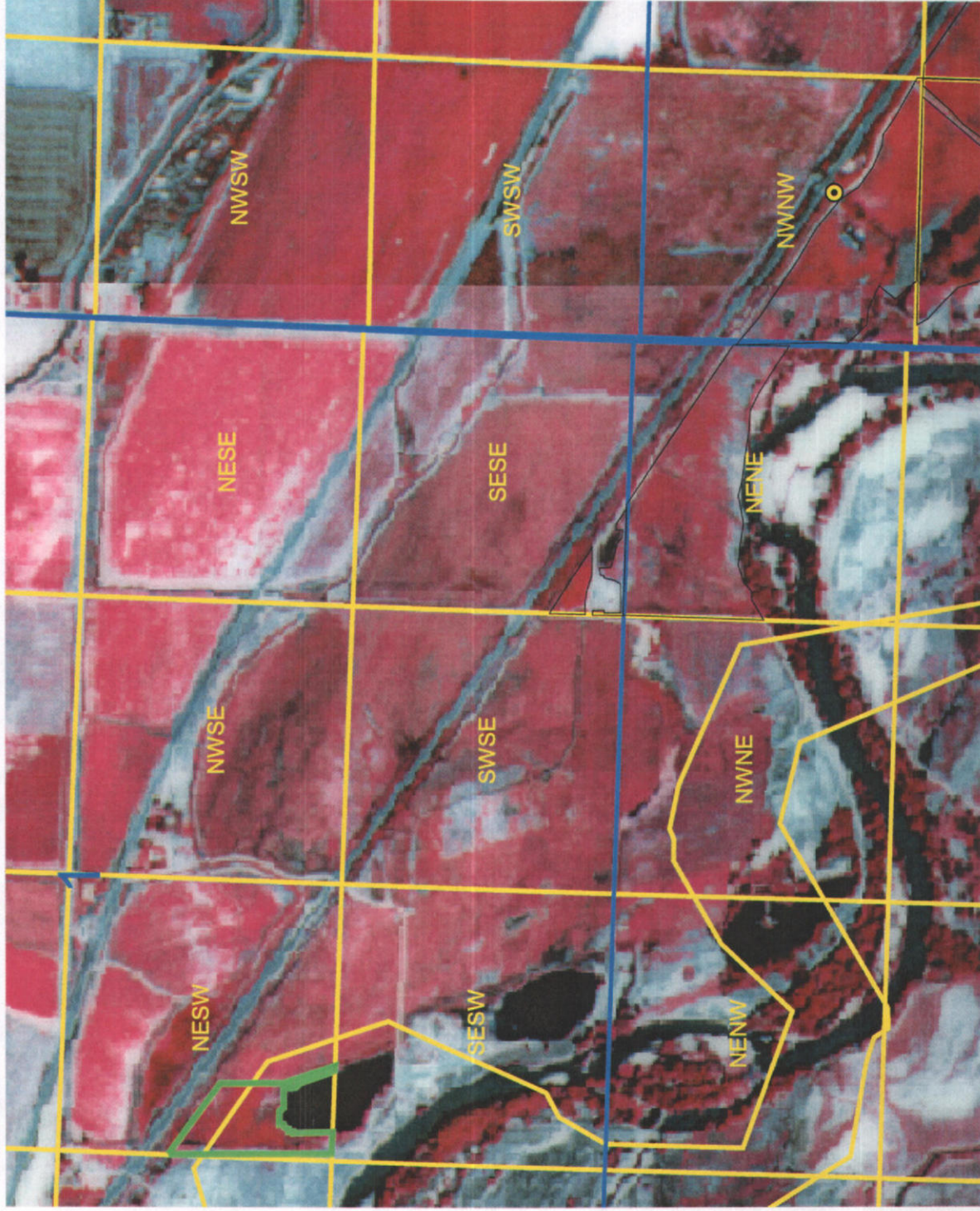
Point of Diversion

Irrigated Acres = 4



.014567 Miles

1987 NAPP



Claim No: 63-4529B
Prepared By: Kimberly Brown
Date: October 19, 2006

#63-4529B

1987 NAPP

The 5.0 acres claimed
for #63-4529B show
no sign of irrigation.

NWSW

NESW

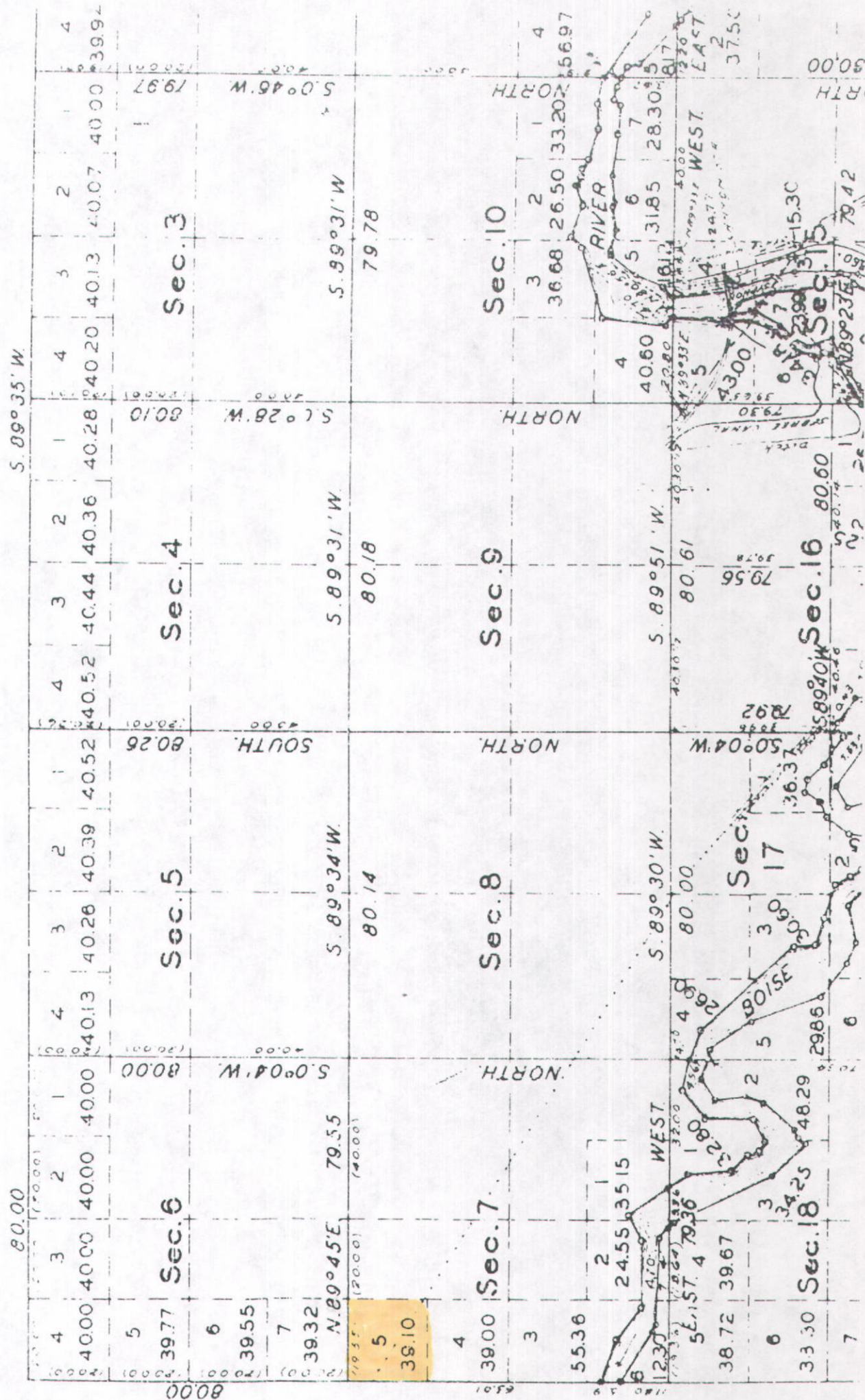
10.0 acres
covered by
#63-4529C

* Basis for disallowal of claim in July 2006.

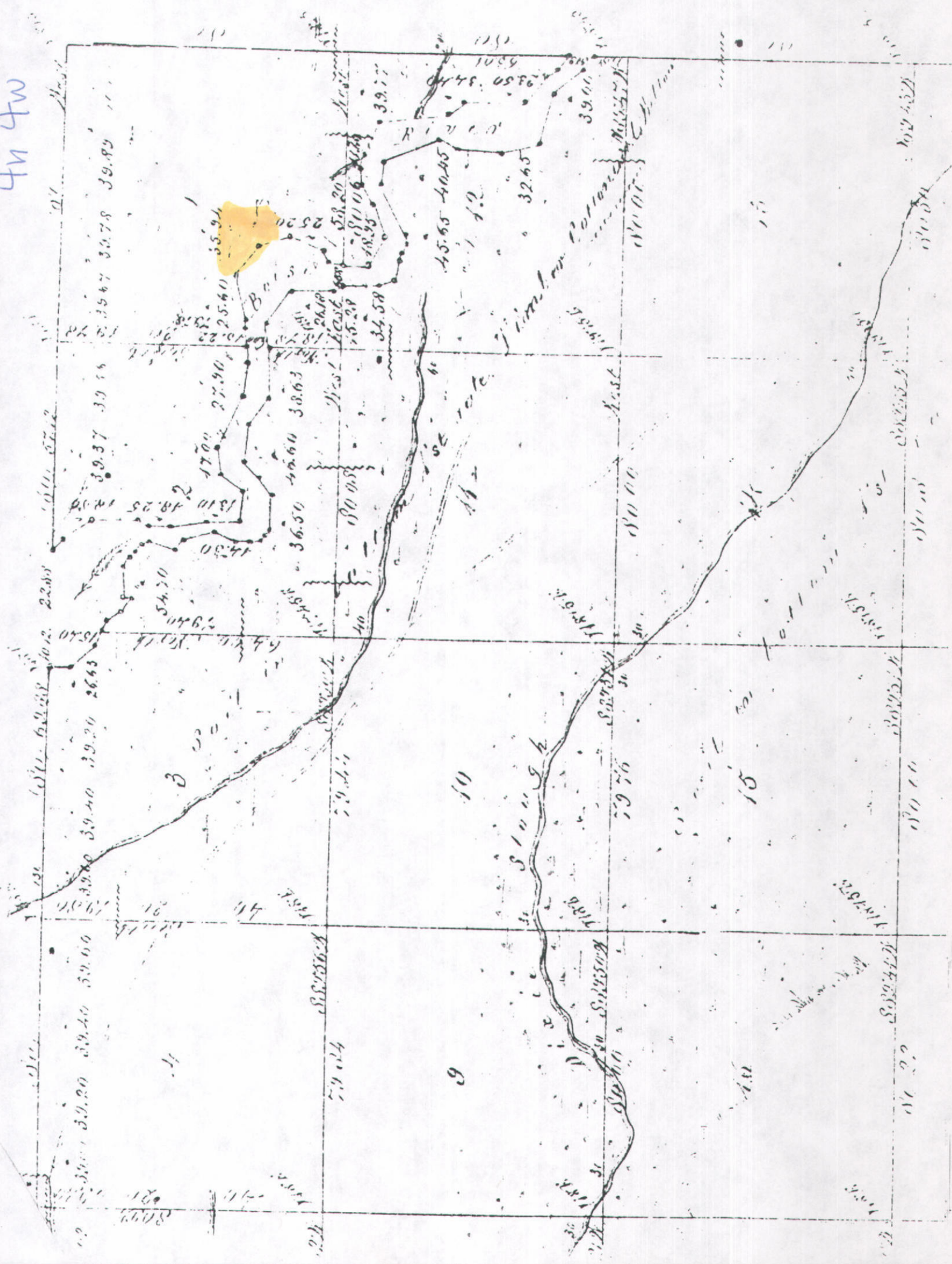
TW DW

COMPOSITE PLAT OF

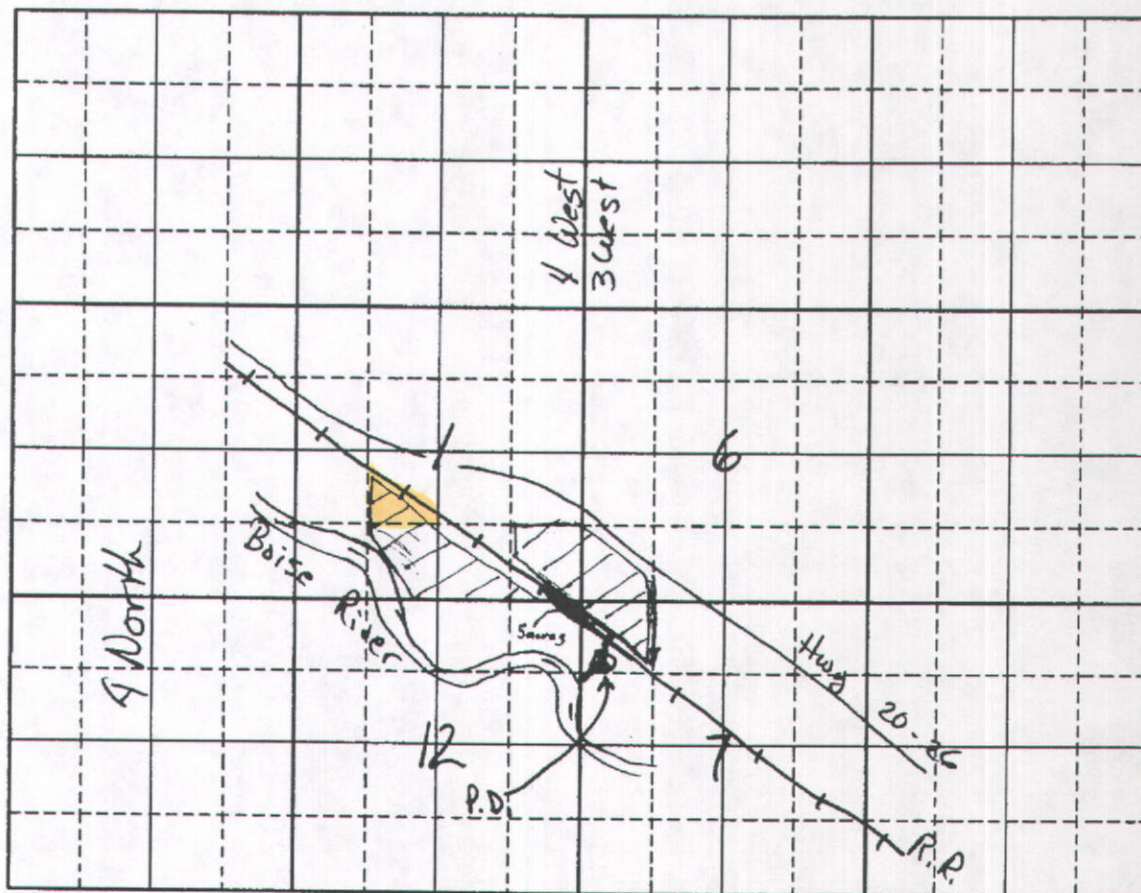
P N^o 4 NORTH, RANGE N^o 3 WEST OF T



4n 4w



(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
) ss.
 County of Ada)

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

Sworn to before me this 12th day of July, 19 77.

Roy G. Sebree
 (Claimant)
Rita Bendish
 Notary Public
 Residing at Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>WKM</u>	Date <u>7-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>LLS</u>	Date <u>7/13/77</u>		claimant by:	
\$10.00 fee received by <u>of</u>	Date <u>7-12-77</u>	# <u>8132</u>		
Approved for publication by <u>of</u>				
Published in <u>Newspaper</u>				
Dates <u>July 21 + 28, 1977</u>				

\$ 55

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: A63-04529B

Date Received: *posted 3/27/90 DMB*

Receipt No: CO16007

Received By: _____

RECORDED
MAR 29 1990

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH A. HARDESTY 619-729-8684
Address: 2559 WILSON
CARLSBAD, CA 92008

2. Date of Priority: JUN 01, 1865

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	03W	7	NW NW		CANYON

5. Description of diverting works:
DITCH & POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	1	NE SW		IRR	5.0
Section Acres						5.0

A63-04529B

Page 1

Date: 02/02/90

MICROFILMED

AUG 20 1992

10. Place of Use: Continued

Total Acres 5.0

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:
NONE

14. Remarks:

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:

3/26/90

Date:

California

State of ~~Idaho~~

)
) SS.

County of San Diego

Subscribed and sworn (or affirmed) before me this 26 day

of March 19 90

Junk Denmore
Notary Public

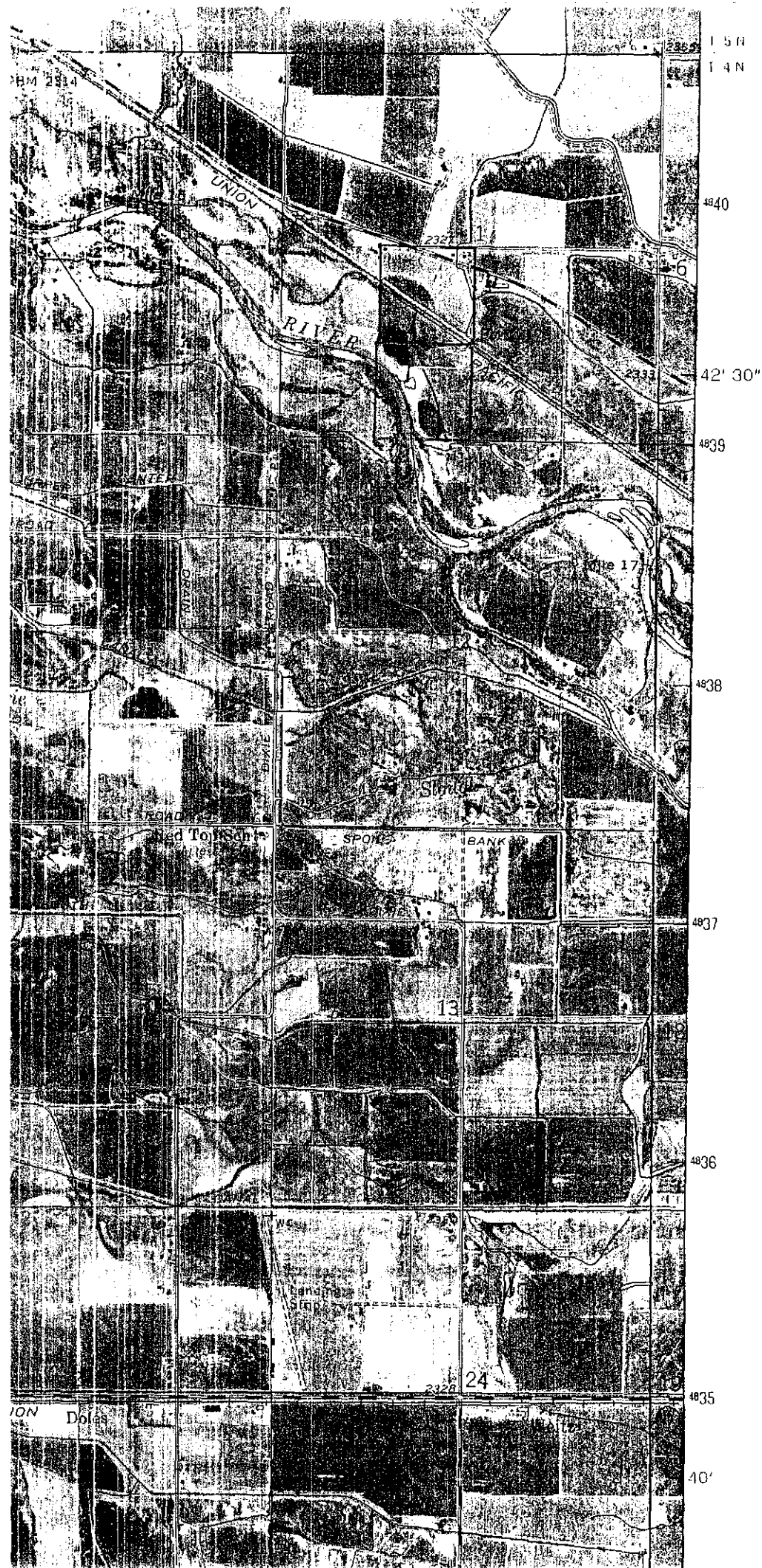
Seal

Residing at Oceanside, Calif.

My Commission Expires May 29, 93



T 3 N
T 4 N



MICROFILMED

AUG 20 1992

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

RECEIVED
 AUG 23 2007
 WATER RESOURCES
 WESTERN REGION

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

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

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
	ADJ 63-4529B				

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

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

☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

☒ 3. Name and Address of Former Owner/Claimant(s)

H And Esty Family Trust
 2559 Wilson, CA 92008

☒ 4. New Owner/Claimant(s)

William H Wessels
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

18501 Hwy 20-2E

City, State and ZIP Code

CADWELL ID 83607

New Telephone Number

208) 459-2004

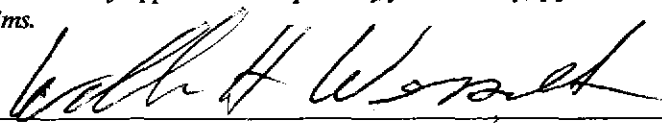
5. Date you acquired the property

August 13 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) 
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by 
 Received by 
 Processed by  AJ

Date 8.23.07
 Date 9-10-07
 Date 9-10-07

Receipt Amt. N/A
 Receipt No. _____
 WR _____ Date _____

200366217

RECORDED

2003 OCT 24 AM 10 53

G NOEL HALES

CANYON COUNTY RECORDER
BY *JM Hales**William H. Wessels*
Wm H Wessels
90

QUITCLAIM DEED

FOR VALUE RECEIVED, KENNETH ALLEN HARDESTY and JULIA ROBIN HARDESTY, co-trustees of the Hardesty Family Trust of 1993, dated December 30, 1993, do hereby convey, release and forever quitclaim unto WILLIAM H. WESSELS, a single man, whose address is 18501 Highway 20-26, Caldwell, Idaho 83605, all of their right, title and interest now owned or hereafter acquired to the following described premises, to-wit:

PARCEL ONE:

ALL of that part of U.S. Government Lots 1 and 2, Section 1, T.4N., R.4W., B.M., Canyon County, Idaho, which lies westerly of the following described line and all land which has become or hereafter becomes part of those U.S. Government Lots by way of accretion, reliction and/or the relocation or movement of the ordinary or natural highwater mark of the Boise River and which lies westerly of the following described line:

Commencing at the SE corner of U.S. Government Lot 1, Section 1, T.4N., R.4W., B.M., Canyon County, Idaho; thence N. 89°08'57" W., along the south boundary of U.S. Government Lot 1 a distance of 264.60 feet to a point, which point is the REAL POINT OF BEGINNING of the line; thence N. 18°36'41" W., a distance of 1095.75 feet to a point; thence N. 88°08'41" W., a distance of 129.12 feet to a point; thence N. 21°23'55" W., a distance of 593.03 feet to a point; thence N. 02°22'04" W., a distance of 287.86 feet to the REAL POINT OF TERMINUS of the line.

SUBJECT TO easements, reservations and restrictions of record or apparent and real property taxes and assessments.

PARCEL TWO:

This parcel is a portion of Government Lots 1 and 2 and a portion of accretion land adjacent thereto in Section 1, T.4N., R.4W., B.M., Canyon County, Idaho, and is more

particularly described as follows:

COMMENCING at the Southeast corner of said Government Lot 1;
 thence N. 89°08'57" W., along the South boundary of said Government Lot 1, a distance of 264.60 feet;
 thence N. 18°36'41" W., a distance of 1095.75 feet;
 thence N. 88°08'41" W., a distance of 129.12 feet to the TRUE POINT OF BEGINNING;
 thence N. 88°29'56" W., a distance of 203.32 feet;
 thence S. 8°11'26" E., a distance of 110.00 feet;
 thence S. 79°31'19" W., a distance of 137.76 feet to the approximate Northeasterly mean highwater line of the Boise River;
 thence N. 45°16'44" W., along the said approximate Northeasterly mean highwater line, a distance of 353.91 feet to the extended West boundary of said Government Lot 2;
 thence N. 0°05'19" W., along the said extended West boundary and the West boundary of said Government Lot 2, a distance of 946.34 feet to the Southwesterly right-of-way boundary of the Union Pacific Railroad;
 thence S. 56°51'44" E., a distance of 415.24 feet;
 thence S. 2°22'04" E., a distance of 287.86 feet;
 thence S. 21°23'55" E., a distance of 593.03 feet to the TRUE POINT OF BEGINNING.

This parcel is subject to a 20 foot wide utility easement for an underground power service line crossing the boundaries of which are located 10.00 feet on each side of a centerline the said centerline being more particularly described as follows:

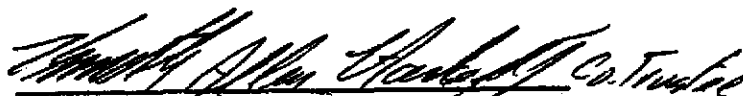
COMMENCING at the Southeast corner of said Government Lot 1;
 thence N. 89°08'57" W., along the South boundary of said Government Lot 1, a distance of 264.60 feet;
 thence N. 18°36'41" W., a distance of 1095.75 feet;
 thence N. 88°08'41" W., a distance of 129.12 feet;
 thence N. 88°29'56" W., a distance of 27.57 feet to the TRUE POINT OF BEGINNING.
 thence N. 38°22'54" E., a distance of 29.40 feet.

This parcel is also subject to a 10 foot wide utility easement along the Easterly boundary and to all other easements, reservations and restrictions of record or apparent and real property taxes and assessments.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents,

issues and profits thereof.

DATED this 13th day of August, 2003.

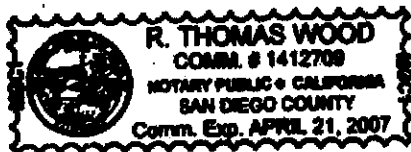

Kenneth Allen Hardesty, Co-Trustee
of the Hardesty Family Trust of
1993, dated December 30, 1993

STATE OF CALIFORNIA)
: ss.
County of)

On this 13th day of August, 2003, before me, the undersigned Notary Public in and for said State, personally appeared **KENNETH ALLEN HARDESTY**, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Trustee of the Hardesty Family Trust of 1993, dated December 30, 1993, and acknowledged to me that he executed this instrument as one of the co-trustees.

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


Notary Public for California
Residing at: CARLEBAR, CALIFORNIA
My Commission Expires: 04/21/07

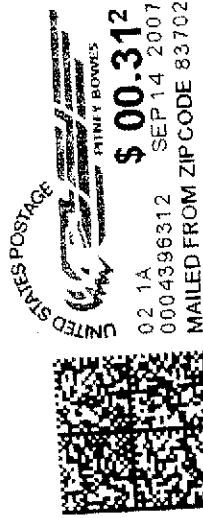


IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



WILDER IRRIGATION DISTRICT
709 CLEVELAND BLVD
CALDWELL ID 83605

RECEIVED

SEP 19 2007

WATER RESOURCES
WESTERN REGION

NIXIE 997 DE 1 00 09/19/07
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 83705508235

837055082



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

RIGHT NUMBER: 63-4529B

NAME AND ADDRESS: WILLIAM H WESSELS
18501 HWY 20-26
CALDWELL ID 83607

KENNETH A HARDESTY
2559 WILSON
CARLSBAD CA 92008

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 10/04/1932

POINT OF DIVERSION:

T04N R03W S7 NWNW Lot 5 Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.080 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S01 Lot 2 NESW 4.00

4 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: 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 SRBA

Case No. 39576

Water Rights: 63-4529B

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

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

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

DATED: September 14, 2007


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on September 14, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

2. Copies to:

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

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

3. Copies to all parties to the subcase:

William H. Wessels	☐ overnight mail
18501 Hwy 20-26	☒ regular mail
Caldwell ID 83607	☐ hand-delivered
	☐ facsimile

Wilder Irrigation District	☐ overnight mail
709 Cleveland Blvd	☒ regular mail
Caldwell ID 83605	☐ hand-delivered
	☐ facsimile

Albert P Barker
Barker Rosholt & Simpson LLP
1010 W Jefferson Ste 102
Boise ID 83702

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

Kenneth A Hardesty
2559 Wilson
Carlsbad CA 92008

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

September 14, 2007

WILLIAM H WESSELS
18501 HWY 20-26
CALDWELL ID 83607

Re: Water Right No. 63-4529B

Dear Mr. Wessels:

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

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

Sincerely,

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

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

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 63-4529B
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
)

Please fill in the following information:

RECEIVED

JUN 19 2007

DEPARTMENT OF
WATER RESOURCES

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wilder Irrigation District
Address: 709 Cleveland Blvd
Caldwell, ID 83605
Daytime Phone: 208-459-3421

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

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

Name: Kenneth A Hardesty
Address: 2559 Wilson
Carlsbad, CA 92008

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

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)

County of Ada)ss.

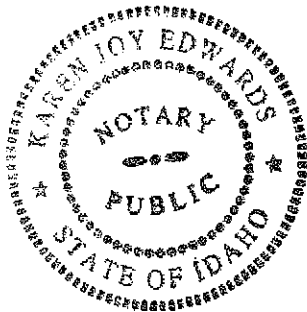
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 200 , I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the claimant of the water right at the following address:

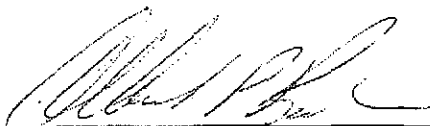
Name: Kenneth A Hardesty
Address: 2559 Wilson.
Carlsbad, CA 92008

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

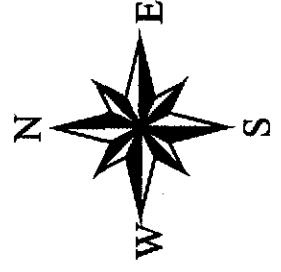
Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

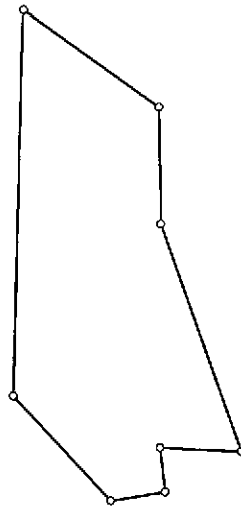


Signature of objector or attorney
mailing on Objector's behalf



Wessels deed.dxf
7
Sections
GCDB04N04W GCDB





Title:		Date: 08-28-2007
Scale: 1 inch = 480 feet	File:	
Tract 1: 3.8466 Hectares: 38465.6 Sq M.: Closure = s30.5707e 0.00 M.: Precision = 1/280513: Perimeter = 929 M.		
001=N+1393111.92m E+2277393.50m	006=n88.2956W 203.32	011=S56.5144E 415.24
002=rotate +1.40	007=s08.1126E 110.00	012=S02.2204E 287.86
003=/N89.0857W 264.60	008=S79.3119W 137.76	013=S21.2355E 593.03
004=/N18.3641W 1095.75	009=N45.1644W 353.91	
005=/N88.0841W 129.12	010=N00.0519W 946.34	

Bureau of Land Management - General Land Office Records

[Search Land Patents](#)[Search Surveys](#)[Visitors Center](#)[FAQ](#)

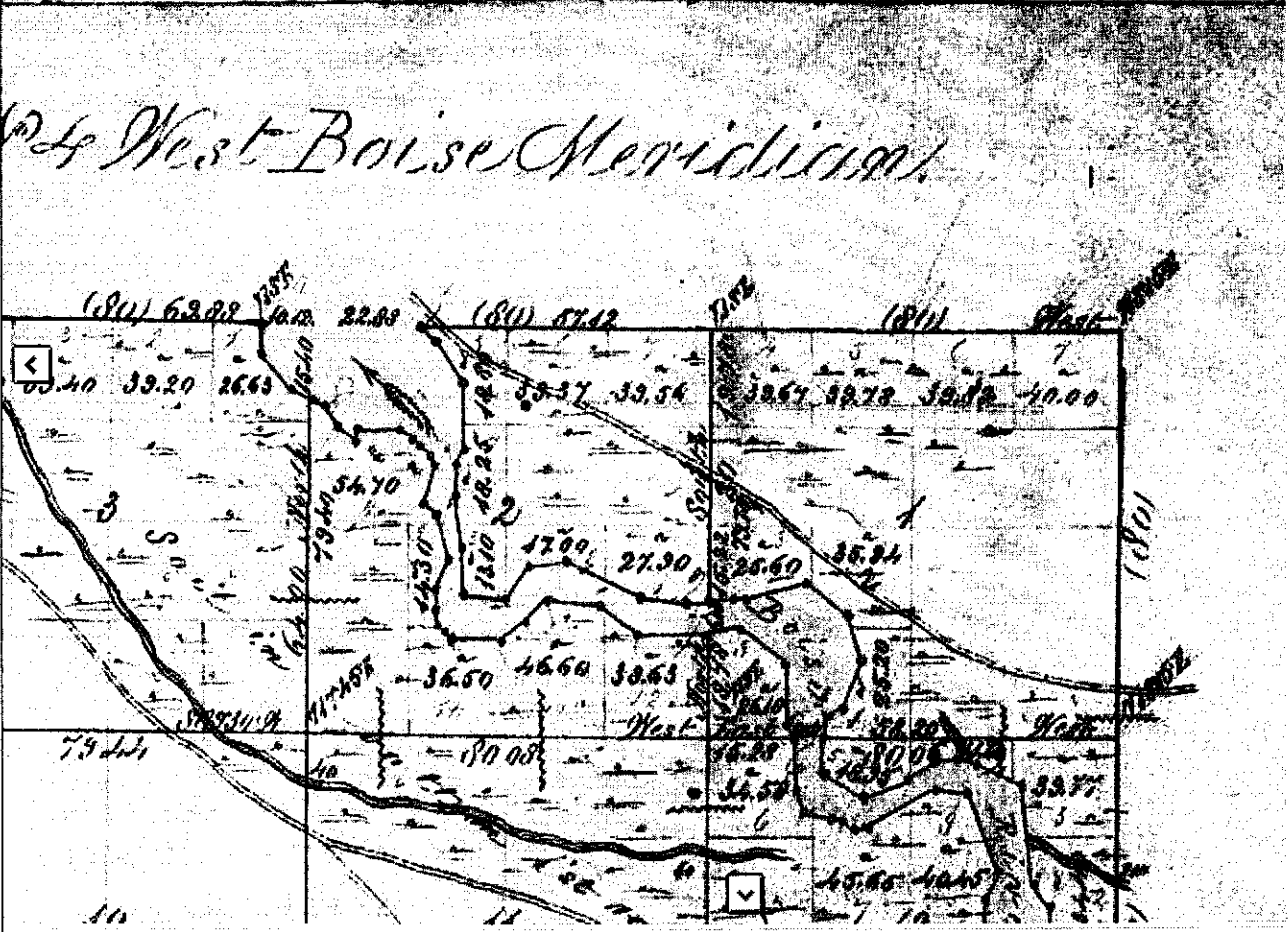
Survey Details

[Home](#) > [Survey Search](#) > [Results List](#) > [Survey Details](#)

Original Survey • Twp 4N-4W, ID, Boise (Subdiv. Lines)

[Survey Details](#) [Plat Details](#) [Plat Image](#) [Field Note Images](#)

Page 1 Description: --



[Basic Viewer](#) [JavaScript Viewer](#) [Plug-In Viewer](#) [Download Image File](#)

- Want to try one of our more powerful viewers? Please check our [Browser Compatibility Guide for Viewers](#).



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

March 15, 2007

*Resent
4/3/2007.
KW*

WILLIAM WESSELS
18501 HWY 20-26
CALDWELL ID 83605

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-4529B

Dear Mr. Wessels:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Kay Walker

Kay Walker
Sr. Water Right Agent
Adjudication Section
Western Region

LH:1
Enclosures

0 HWY 20-26, CA

+ CLASS REAP 04 MAN UNIT 0
+ PARCEL 6R04N04W015150 H/O N C/B N
+ PRIOR ACCOUNT 5R35912-012- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

MODE:F ACTION:

COMPANION SHEET INQUIRY

TRQK361

01 ACCOUNT: 6R35912-012- -0 AREA 127-00 DRAIN VALUE CLASS H/O N
SEC 01 TWN 4N RNG 4W QTR SW CITY/SUB 0 BLK LOT 5150
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
WESSELS, WILLIAM H HARDESTY, FAMILY TRUST
% HARDESTY, KENNETH ALLEN &
% HARDESTY, JULIA ROBIN

MAILING ADDRESS

LEGALS

18501 HWY 20-26
CALDWELL ID 83605
SITE ADDRESS
0 HWY 20-26 CA
COMMENTS

01-4N-4W SW
TAX 6-A IN LTS 1 & 2 IN SW1/4

REMARKS

PRIOR ACCOUNT 5R35912012 0
PARCEL 04N04W015150 SRVY
INSTR 200366217 ACRES 9.51
SPLIT YR DOCUMENT DD
DATE DONE 11/07/2003 INITIALS JN 02 Ownership Tract Record
THIS ACCOUNT HAS OWNERSHIP TRACK RECORD!
MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 6R35912-012- -0 127-00 G SCH135+ 02 2,000 6.51

19 3.00

WESSELS WILLIAM H +
+
+
+
+
18501 HWY 20-26 +
CALDWELL ID 83605 +

01-4N-4W SW + TOTAL 2,000 9.51
TAX 6-A IN LTS 1 & 2 IN SW1/4 +

+ SURVEY INST 200366217
+ DRAIN DR VALUE APPR MKB
+ CLASS REAP 04 MAN UNIT 0
0 HWY 20-26, CA + PARCEL 6R04N04W015150 H/O N C/B N
+ PRIOR ACCOUNT 5R35912-012- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

MODE:F ACTION:

COMPANION SHEET INQUIRY

TRQK361

01 ACCOUNT: 6R35912-012- -0 AREA 127-00 DRAIN VALUE CLASS H/O N
SEC 01 TWN 4N RNG 4W QTR SW CITY/SUB 0 BLK LOT 5150
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
WESSELS, WILLIAM H HARDESTY, FAMILY TRUST
% HARDESTY, KENNETH ALLEN &
% HARDESTY, JULIA ROBIN

01-4N-4W SW

18501 HWY 20-26

TAX 6-A IN LTS 1 & 2 IN SW1/4

CALDWELL ID 83605

SITE ADDRESS

0 HWY 20-26 CA

COMMENTS

REMARKS

PRIOR ACCOUNT 5R35912012 0

PARCEL 04N04W015150 SRVY

INSTR 200366217 ACRES 9.51

SPLIT YR DOCUMENT DD

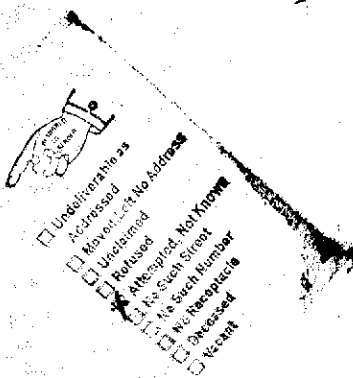
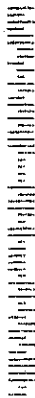
DATE DONE 11/07/2003 INITIALS JN

02 Ownership Tract Record

THIS ACCOUNT HAS OWNERSHIP TRACK RECORD!

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ESS SERVICE
REQUESTED



KENNETH A HARDESTY
255 WILSON
CARLSBAD CA 92008

William Wessels
18501 Hwy 20-26
Caldwell 83605

RECEIVED
FEB 20 2007

WATER RESOURCES
WESTERN REGION

Handwritten signatures:
[Signature]
[Signature]

63-45290



12/10/2006

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

RIGHT NUMBER: 63-4529B

NAME AND ADDRESS: KENNETH A HARDESTY
2559 WILSON
CARLSBAD CA 92008

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 10/04/1932

POINT OF
DIVERSION: T04N R03W S7 NWNW Lot 5 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S01 Lot 2 NESW 4.00

4 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

10/20/2006

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

RIGHT NUMBER: 63-4529B

NAME AND ADDRESS: KENNETH A HARDESTY
2559 WILSON
CARLSBAD CA 92008

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 10/04/1932

POINT OF DIVERSION:

T04N R03W S7 NWNW Lot 5 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.080 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S01 Lot 2 NESW 4.00

4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



FIRST CLASS

KENNETH A HARDESTY
2509 WILSON
CARLSBAD CA 92008

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES
NO RECEIPT
NOT DELIVERABLE AS
ADDRESSES UNABLE
TO FORWARD
ROUTE NO. 1000
CARRIAGE/INITIALS

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

60-4529B

Parcel No: a portion of R3591201200. (9.5-9.51 Ac)

Field Exam Date 10/19/06

(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 \$55.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-4529 B

Owner: Kenneth Hardisty Phone No. (619) 729-8684

Current Address: 2559 Wilson, Carlsbad CA 92008

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER William Wessels
- ☐ No change Address
- ☒ NEW ADDRESS 18501 Hwy. 80-26, Caldwell 83605
- ☐ How long owned property?

Accompanied by: in-office verification

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: 06/01/1965

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

William Wessels submitted a copy of a Chattel Meeting
(#195252) dated Oct. 4, 1932 as evidence for portions -A &
-B.

Source: _____ Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: ADD Government lot 5
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ADD:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	5								

Description of diverting works

See Claim.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-9695

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

WATER USES

Season of use begins 3/01.

☐ No change

☐ Different Uses

Use Irrigation From 3/01 To Amount .08 CFS 18.0 AFA N/A (surface water)

Use From To Amount CFS AFA

Use From To Amount CFS AFA

~~4.0 acres x 4.5 af / acre = 18.0 af / annum (v) 0.08 cfs x 1.9835 x 260 days =~~

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount CFS 18.0 AFA N/A

☒ Changes found, the new total is, Amount 0.08 CFS AFA

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

~~41.26 af / an.~~

NON-IRRIGATION USES:

None

☒ No change

☐ Changes Exam found: Domestic # of homes Stock #

Types Additional comments:

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Parcel No: a portion of

R 3591201 200. ² (9.5-9.5) A.C)

RE: DISALLOWAL & RECOMMENDATION —

When I made my initial recommendation on 7/19/06, I disallowed this claim based on the 1987 NAPP image that showed no irrigation of this land (see 1987 NAPP in file). However, while I was doing an overlap review for #63-4529C, I noticed that Kay Walker's shapefile was different from my images of this area. Therefore, I deleted my 4N 4W theme in ArcView and added a new one. As a result, my 4N 4W image matched Kay's this

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

parcel (# R3591201200) now shows 4.0 acres of irrigation. (see 63-2448 shapefile).

DATE EXAM CONDUCTED:

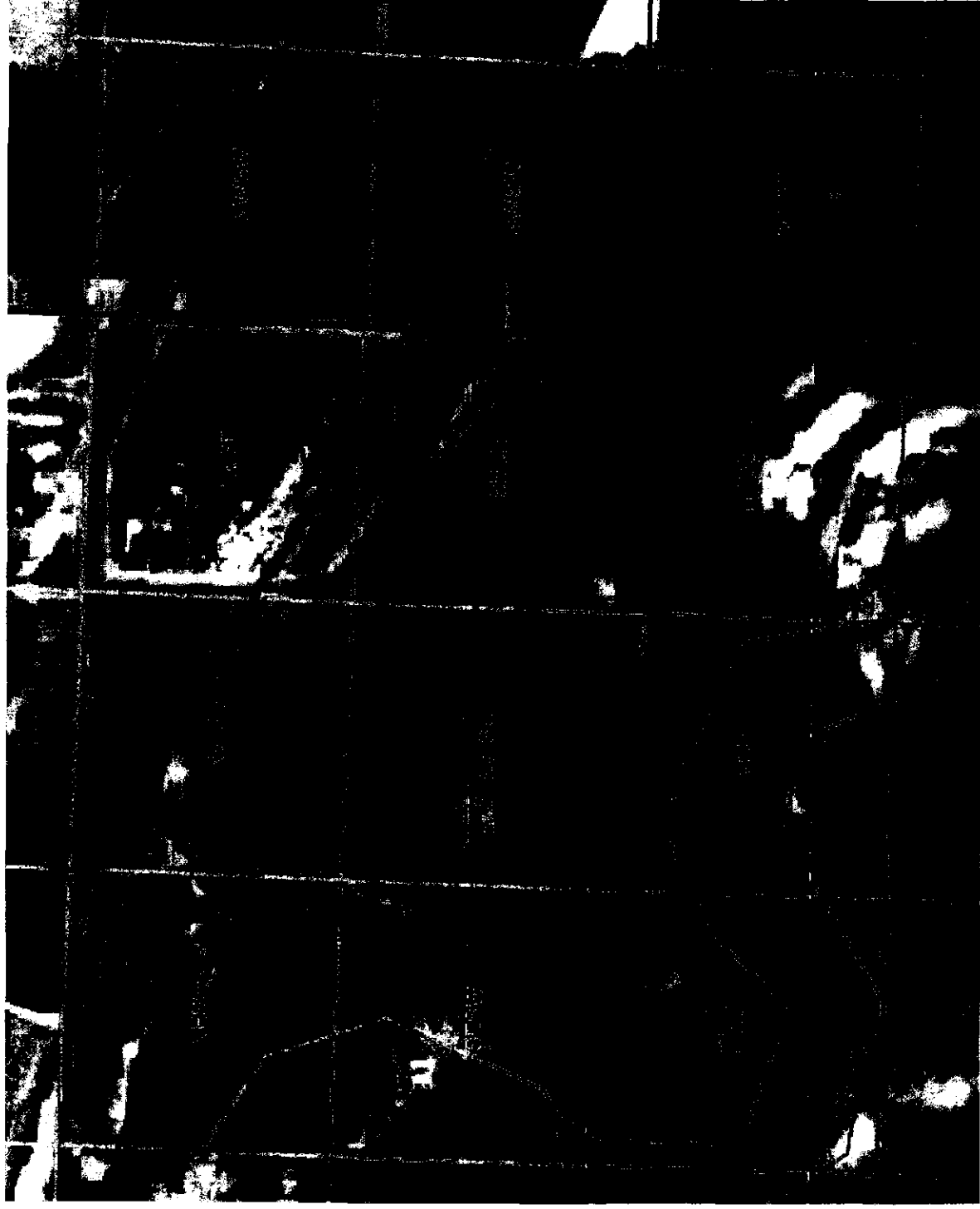
10-19-06

(in-office review)

FIELD EXAMINER:

Kimberly Brown

Idaho Department of Water Resources



T04N, R03W,
SEC 7

T04N, R04W,
SEC 1



Place of Use



Section Lines

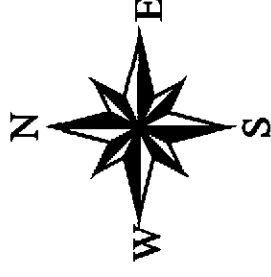


1/4 1/4



Point of Diversion

Irrigated Acres = 4



.014567 Miles



Claim No: 63-4529B
Prepared By: Kimberly Brown
Date: October 19, 2006

1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4529B V1

WATER RIGHT NUMBER: 63-4529B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH A HARDESTY 2559 WILSON CARLSBAD, CA 92008 (619)729-8684
Original Owner	ROY A SEBREE RT 5 BOX 5045 CALDWELL, ID 83605

Priority Date: 06/01/1865

Basis:

Status: Disallowed

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4NW1/4	Sec. 7, Twp 04N, Rge 03W, 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	
04N	04W	1									5.0								5.0

Total Acres: 5

Conditions of Approval:

1. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.
2. 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.
3. P03 No beneficial use found.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4529B V1

Comments:

1. kbrown 7/19/2006 Reason for Disallowal

Comment: The 5.0 acres claimed for #63-4529B do not show any irrigation (see 1987 NAPP in file).

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			03/20/2006	lharris	Disallowed
Contacts	7/19/2006 2:40:27 PM	kbrown			Disallowed
Summary			07/19/2006	kbrown	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	7/19/2006 2:40:28 PM	kbrown	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Disallowed.
Summary	7/19/2006 2:42:24 PM	kbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4529B V1

Summary	3/20/2006 12:01:31 PM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
---------	-----------------------	---------	--

Water Supply Bank:

DISALLOWED

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4529B

WATER RIGHT NUMBER: 63-4529B

Property Address:
Ø Hwy 20-26
Caldwell

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH A HARDESTY 2559 WILSON CARLSBAD, CA 92008 (619)729-8684
Original Owner	ROY A SEBREE RT 5 BOX 5045 CALDWELL, ID 83605

Current Owner

William H. Wessels
18501 Hwy. 20-26
Caldwell

Priority Date: ~~06/04/1965~~ 10/04/1932
Basis: ~~Statutory Claim~~ Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	0.100 CFS	
<u>Total Diversion:</u>			0.100 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN NW1/4NW1/4 Sec. 7, Twp 04N, Rge 03W, B.M.
CANYON County

Govt. lot 5

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	
04N	04W	1									5.0								5.0

L2

Total Acres: 5

Conditions of Approval:

(+) Farmers Cooperative Ditch Co. ?

Remarks:

Comments:

Parcel No: a portion of R 3591261 200. (95-951 AC)

DISALLOWED

(in-office verification)

**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 \$ 55.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-4529 BOwner: Kenneth Hardesty Phone No. (619) 729-8684Current Address: 2559 Wilson, Carlsbad CA 92008

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER William Wessels
- ☐ No change Address
- ☒ NEW ADDRESS 18501 Hwy 20-26, Caldwell 83605
- ☐ How long owned property? _____

Accompanied by: in-office verification**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: 06/01/1865

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

William Wessels submitted a copy of a Chattel Mtg 195252
dated Oct. 4, 1932 as evidence for portions - A & - B.

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES

- ☐ No change
☐ Different Uses

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

TOTAL VOLUME – Groundwater only

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

NON-IRRIGATION USES:

- ☐ No change
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☒ Changes shown below: REASON for DISALLOWAL -

The 5.0 acres claimed for #63-4529B do not show any irrigation (see 1987 NAPP in file).

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

Overlap with other water rights: _____

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

Delivery System Narrative: _____

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

The 5.0 acres claimed
for #63-4529B show
no sign of irrigation.

10.0 acres
covered by
#63-4529C

* Basis for disallowal of claim in July 2006.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4529

WATER RIGHT NUMBER: 63-4529

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROY A SEBREE RT 5 BOX 5045 CALDWELL, ID 83605

Priority Date: 06/01/1865
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15	11/15	2.860 CFS	
	<u>Total Diversion:</u>		2.860 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4NW1/4	Sec. 7,	Twp 04N,	Rge 03W, 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	
04N	03W	6											20.0						20.0
04N	03W	7						20.0											20.0
04N	04W	1								15.0			28.0				25.0	30.0	98.0
04N	04W	12	5.0																5.0

Total Acres: 143

Conditions of Approval:Remarks:

REAL PROPERTY INQUIRY

```

+++++
01 7R35912-012- -0 127-00 G SCH135+ 02 1,900 6.51
+++++
HARDESTY FAMILY TRUST +
% HARDESTY, KENNETH ALLEN & +
% HARDESTY, JULIA ROBIN +
+
+
2559 WILSON ST +
CARLSBAD CA 92008 +
+++++
01-4N-4W SW + TOTAL 1,900 9.51
TAX 6-A IN LTS 1 & 2 IN SW1/4 ++++++
+ SURVEY INST 9403814
+ DRAIN DR VALUE APPR MKB
+ CLASS REAP 93 MAN UNIT 0
+ PARCEL 7R04N04W015150 H/O N C/B N
+ PRIOR ACCOUNT 6R35912-012- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R35912012 0 UNIT 001 TOTAL UNITS

SITE HWY 20-26 CA SEC/TWN/RNG 01-4N-4W
ASSESSED VALUE 2,000 ACREAGE 9.51
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

```

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4529B

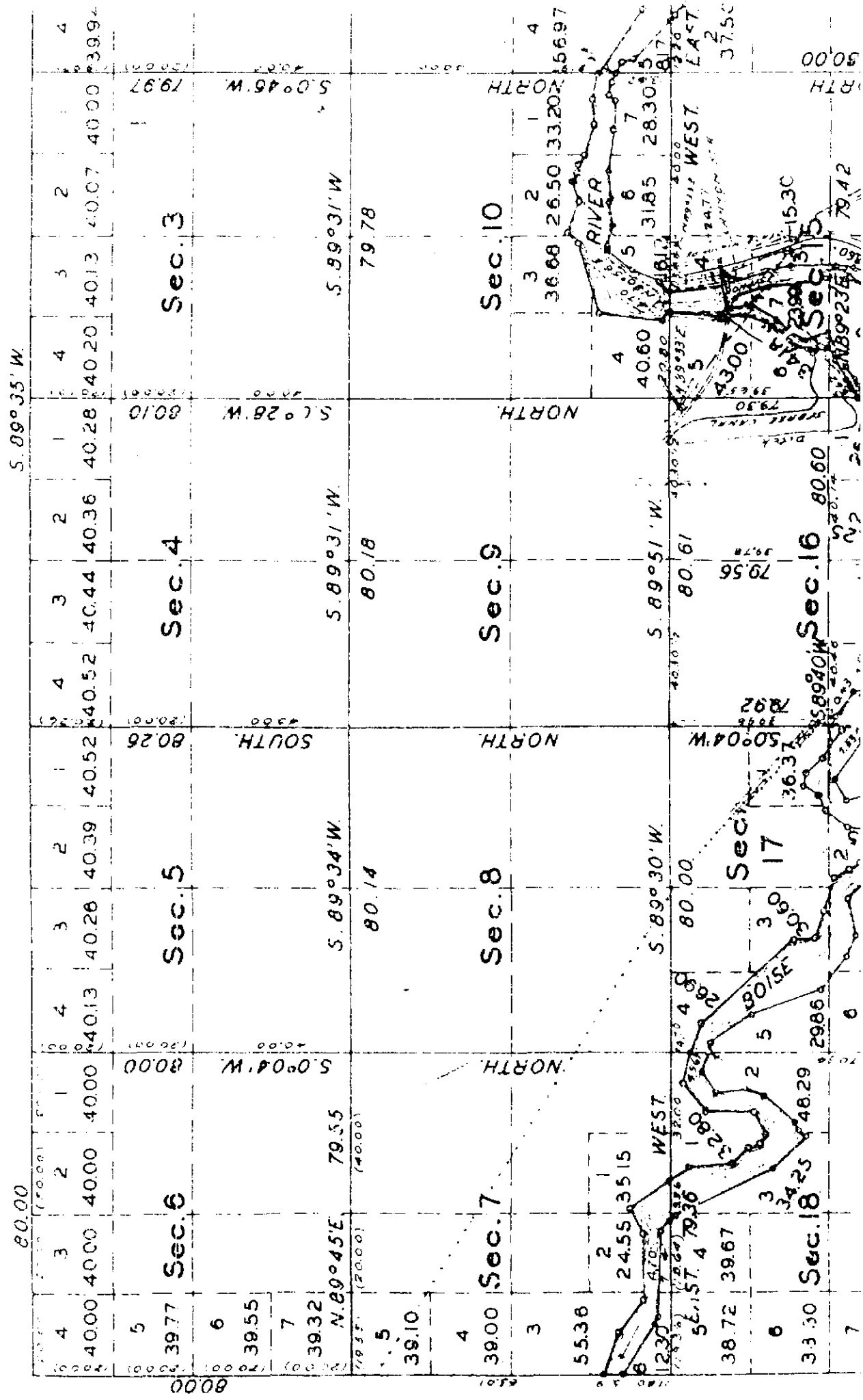
03/20/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
138C	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
2448	Claim	04N	04W	1	NE	SW		IRRIGATION	35/101	SEBREE FARMS INC
~~1529B~~	~~Claim~~	~~04N~~	~~04W~~	~~1~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~5/5~~	~~KENNETH A HARDESTY~~
1529C	Claim	04N	04W	1	NE	SW		IRRIGATION	10/128	SEBREE FARMS INC
4851	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	04N	04W	1	NE	SW		IRRIGATION	27/16111	FARMERS COOPERATIVE DITCH CO
2448	Water Right	04N	04W	1	NE	SW		IRRIGATION	35/101	FRANK IHLI
~~4529~~	~~Water Right~~	~~04N~~	~~04W~~	~~1~~	~~NE~~	~~SW~~		~~IRRIGATION~~	~~15/143~~	~~ROY A SEBREE~~
303A	Claim	04N	04W	1	NE	SW		IRRIGATION FROM STORAGE	27/16031	FARMERS COOPERATIVE DITCH CO

Supplemental to Farmer's Coop. Ditch Co?

P. N° 4 NORTH, RANGE N° 3 WEST OF T



This is a topographic map of a river valley, likely the Snake River. The map features a grid system with numbers 1 through 10 along the top and bottom edges. The river flows from the top left towards the bottom right. Numerous handwritten numbers are scattered across the map, indicating specific elevation points or coordinates. The map is oriented with North at the top.

Key features and annotations include:

- Grid System:** Numbers 1 through 10 are written along the top and bottom edges of the map.
- Handwritten Numbers:** Numerous numbers are scattered across the map, including 1000, 1050, 1100, 1150, 1200, 1250, 1300, 1350, 1400, 1450, 1500, 1550, 1600, 1650, 1700, 1750, 1800, 1850, 1900, 1950, 2000, 2050, 2100, 2150, 2200, 2250, 2300, 2350, 2400, 2450, 2500, 2550, 2600, 2650, 2700, 2750, 2800, 2850, 2900, 2950, 3000, 3050, 3100, 3150, 3200, 3250, 3300, 3350, 3400, 3450, 3500, 3550, 3600, 3650, 3700, 3750, 3800, 3850, 3900, 3950, 4000, 4050, 4100, 4150, 4200, 4250, 4300, 4350, 4400, 4450, 4500, 4550, 4600, 4650, 4700, 4750, 4800, 4850, 4900, 4950, 5000, 5050, 5100, 5150, 5200, 5250, 5300, 5350, 5400, 5450, 5500, 5550, 5600, 5650, 5700, 5750, 5800, 5850, 5900, 5950, 6000, 6050, 6100, 6150, 6200, 6250, 6300, 6350, 6400, 6450, 6500, 6550, 6600, 6650, 6700, 6750, 6800, 6850, 6900, 6950, 7000, 7050, 7100, 7150, 7200, 7250, 7300, 7350, 7400, 7450, 7500, 7550, 7600, 7650, 7700, 7750, 7800, 7850, 7900, 7950, 8000, 8050, 8100, 8150, 8200, 8250, 8300, 8350, 8400, 8450, 8500, 8550, 8600, 8650, 8700, 8750, 8800, 8850, 8900, 8950, 9000, 9050, 9100, 9150, 9200, 9250, 9300, 9350, 9400, 9450, 9500, 9550, 9600, 9650, 9700, 9750, 9800, 9850, 9900, 9950, 10000.
- Annotations:** The word "Snake" is written vertically along the river. Other words like "River", "Valley", "Mount", "Peak", "Creek", "Lake", "Spring", "Well", "Camp", "Station", "House", "Farm", "Road", "Trail", "Fence", "Boundary", "Property", "Land", "Area", "Zone", "District", "County", "State", "Country", "World" are scattered across the map.
- Scale:** A scale bar is located at the bottom left of the map, indicating distances in miles and kilometers.
- Orientation:** The map is oriented with North at the top.

Receipt Details for ID C016007

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/29/1990 3:09:27 PM	3/29/1990	State	\$55.00	Check
Payer		HARDESTY, KEN/JULIA R.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1248			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$55.00	ADJUDICATION 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	4529	B	\$55.00	Claim

✓ Correct Amount

Print Report

FROM :

FAX NO. : 208 459 2004

Apr. 13 2006 09:40AM P1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4529A ~ 13

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.

Chattel Mtg
195252

Frank Ihli and Della Ihli, h & w
-WITH-
Black Canyon Irrigation District, a quasi municipal
corporation

Agreement
Dated Oct. 4, 1932
Rec. Dec. 7, 1932. 2:50 P.M.
Book 9 B&A Page 595

Signed: Frank Ihli, Della Ihli
Ack. C.G.I. Oct. 4, 1932 by Frank Ihli and Della Ihli h & w before T.A. Walters F.P. for the
S. of l. Res. at Caldwell, I. (S)

WITNESSETH: That, whereas, the party of the 2nd part is the owner of and operates an
irrigation and drainage system in what is known as the First or Constructed Unit of the
Black Canyon Irrigation District, and

WHEREAS, the party of the 2nd part has heretofore constructed a drainage ditch, a
portion of which runs across what is commonly known as the V.D. Hannah ranch, and discharges
water onto the lands and premises of the parties of the first part, hereinafter particularly
described, and

WHEREAS, the parties of the first part have and do claim the water so discharged from said
drainage ditch injures and damages the lands and premises of the parties of the 1st part,
and that a ditch should be constructed on, through, across and over the said lands of the
parties of the 1st part, so as to carry the said water across said lands without causing

injury thereto in the way of seepage.

NOW THEREFORE, it is understood and agreed that the parties of the 1st part, for and in
consideration of the sum of \$75.00 lawful money of the U.S. to them in hand paid by the
party of the 2nd part, the receipt whereof is hereby acknowledged by the parties of the
1st part, do by these presents forever release and discharge the party of the 2nd part from
all damages of every kind, nature, or description, which may have heretofore been caused
done, or which in any manner may have resulted from the said waters coming down upon the
said lands and premises of the parties of the 1st part, or which may at any time hereafter
be caused, done, suffered, created, or in any manner result from the said water coming down
upon said lands, as aforesaid, and the said parties of the first part, for themselves, their
heirs and assigns, hereby remise, release and forever grant unto the party of the 2nd part
a perpetual right to discharge water from said drain ditch, or any enlargement or
modification thereof, onto the said lands and premises of the parties of the 1st part,
without let or hindrance, and the said parties of the 1st part will, at their own cost
and expense, build such ditch or ditches or structures as in their judgment may be necessary
to care for the said water.

The said lands and premises above referred to and belonging to the said parties of the
first part, are situate in the Q. of C.S. of I. and more particularly desc. as follows, to-wit:
Lot 2 in Sec. 1-T 4 N.R. 4-W. B.M.

To have and to hold all and singular the said rights and privileges herein granted
unto the said party of the 2nd part, and to its successors and assigns forever.

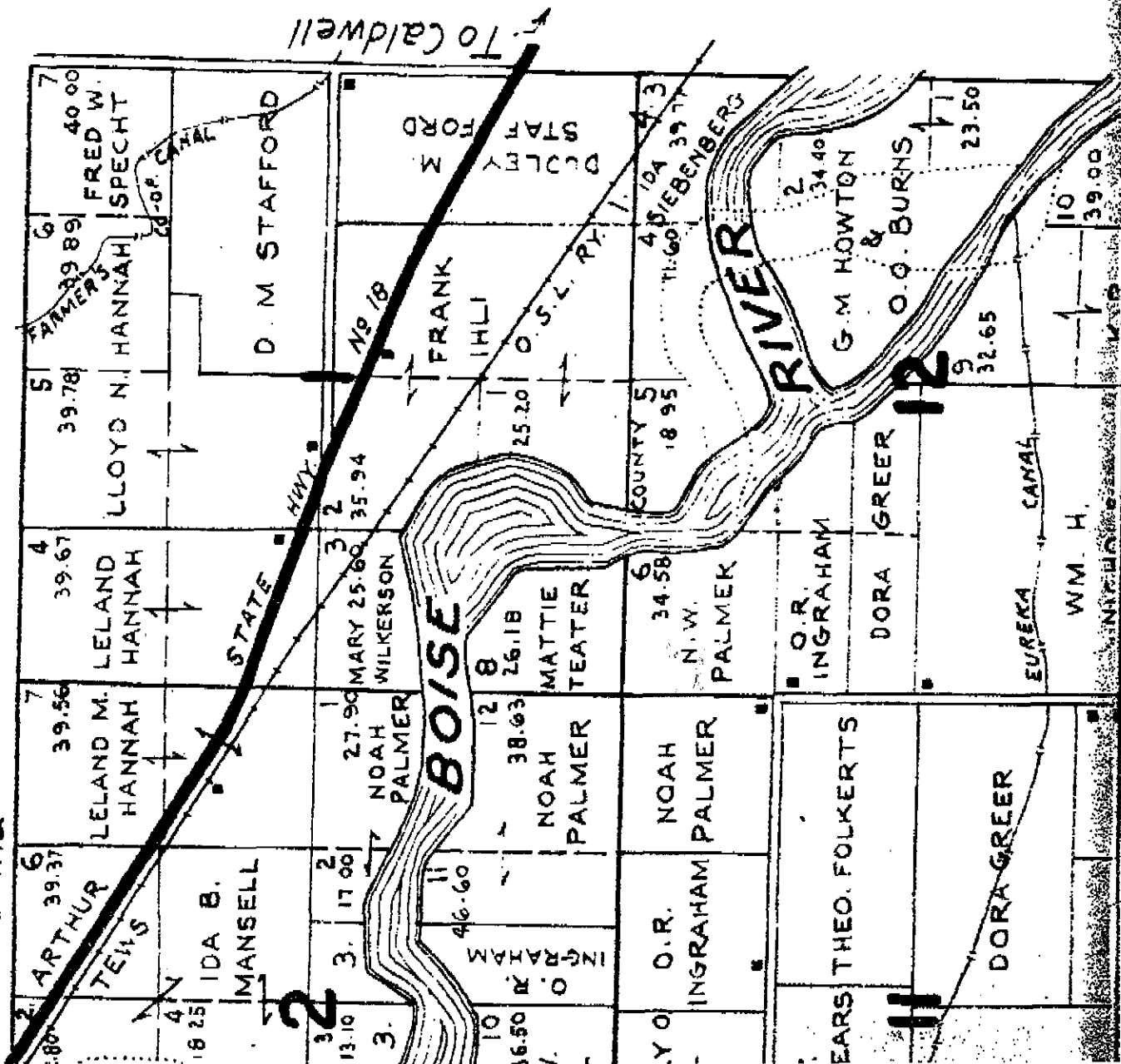
Cecil Trueblood, Jr. or ~~his~~ P.R. Ulrich Jd Or 195252

\$46.50

42-7-32

Abstr. from ~~Justice~~ Court

- To Parma



SMALL TRACTS
1-IDA SIEBENBERG
2-ROSIE SMITH
3-O. R. INGRAHAM
4-ANNA STAFFORD
5-H S. BENNING
6-JNO. TUNING
7-C. J. ANTRIM
8-C. J. ANTRIM
9-ALMA B. ROBERTS
10-RAY PIERSALL
11-SARAH CREW
12-L. E. BENBOW
13-CORA JACKSON
14-VELMA J. COX
15-J. A. DUNBAR
16-ELLA FRENCH
17-A. B. FRENCH
18-PHOEBE TUNING
19-OLIVE B. STREET
20-C. H. RINARD
21-GREENLEAF FRIEND
22-S. F. HIBBS
23-JENNIE I. DAILEY
24-H. A. MONTGOMERY
25-W. K. PRUITT
26-DAVID WILSON
27-CEMETERY
28-WINFRED E. SWAN
29-P. MARIE WILLIAMS
30-MYRTLE WINSLOW
31-CLARA I. MARTIN
32-D. L. HAWORTH
33-EVALINA PRESSNA
34-W. J. WINSLOW
35-EDNA A. POTTER



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 21, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KENNETH A HARDESTY
2559 WILSON
CARSBAD CA 92008

*(+) sent
shapefile*

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-4529B

Dear Claimants,

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. 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. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

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.

The required evidence supporting the priority date(s) requested needs to be submitted by April 18, 2006. 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, since it is our goal to decree the historical water right 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. In the near future, you may be receiving a call from us in order to set-up an appointment for 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

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-4529B

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.

WILLIAM h Weasels
118501 Hwy 20/26
Caldwell Id 83607

copy from #63-4529A

9-29-05

Mr. Weasel was uncooperative at time of field exam. He claimed on phone he had an 1889 water right. But in file states 1865 water right. Mr. Weasel and I went over maps. He pointed out point of division. When I asked him about his date of priority he got angry and started yelling. I knew I was getting no where and I polite and thanked him for his time and left the property. **Filed exam was not completed**

J Merlaine Bishop.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 20, 1990

Kenneth A. Hardesty
2559 Wilson
Carlsbad, CA 92008

RE: Snake River Basin Adjudication (SRBA)
Canyon County - A63-04592B

Dear Mr. Hardesty:

When Mrs. Hardesty called on March 20, 1990 and spoke to my secretary, she said she was sending late fees of \$50.00 along with the \$55.00 filing fee when the Notice of Claim was returned.

However, when the Notice of Claim form referenced above was received, it was postmarked after the filing deadline for Canyon County, and contained only your check for \$55.00; the late fees of \$50.00 were omitted. This March 22, 1989, deadline was noted on the Commencement Notice you received. The statutes governing the adjudication provide that late fees be assessed to encourage prompt filing of the Notices of Claims. Idaho Code §42-1409(8) sets these fees at \$50.00 or 15% whichever is greater. As you are aware, the late fees applicable to your claim would be \$50. If you feel you have a compelling reason for not complying with this deadline you may request an extension of time and waiver of the fees. I have enclosed a form for your possible use in this matter.

We will suspend for 30 days the processing of your claim until the late fees are paid or waived. The claim will be returned and a refund of the fees paid under Receipt #C016007 (also enclosed), will be started after 30 days unless an extension is filed or late fees are paid as set forth above.

Do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:state:tf

Enclosures:

Receipt #C016007
Request for Extension
D & S Pamphlet

MICROFILMED

AUG 20 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

322 Mrs. Hardesty called. Will send late fee \$50.00 + \$55.00. Mailed her another copy of claim since they lost theirs.

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 6, 1990

*✓ 1276
Rec'd 5-7-90
\$50.00*

Kenneth A. Hardesty
2559 Wilson
Carlsbad, CA 92008

RE: Snake River Basin Adjudication (SRBA)
Canyon County, A63-04529B

Dear Mr. Hardesty:

I am sending you the enclosed claim at the request of William H. Wessels, who met with me on February 2, 1990. I have also enclosed literature on the SRBA for your reference.

If you wish to claim this water right, please sign the form, having your signature notarized, and return it to my attention with the filing fee of \$55.00.

Please contact us if you have any questions or desire further information.

Sincerely,

Jeff Peppersack, P.E.
Water Resource Engineer

JP:sf:state

Enclosures:

Notice of Claim

D&S Insert

"How You Will Receive..."

Information Guide

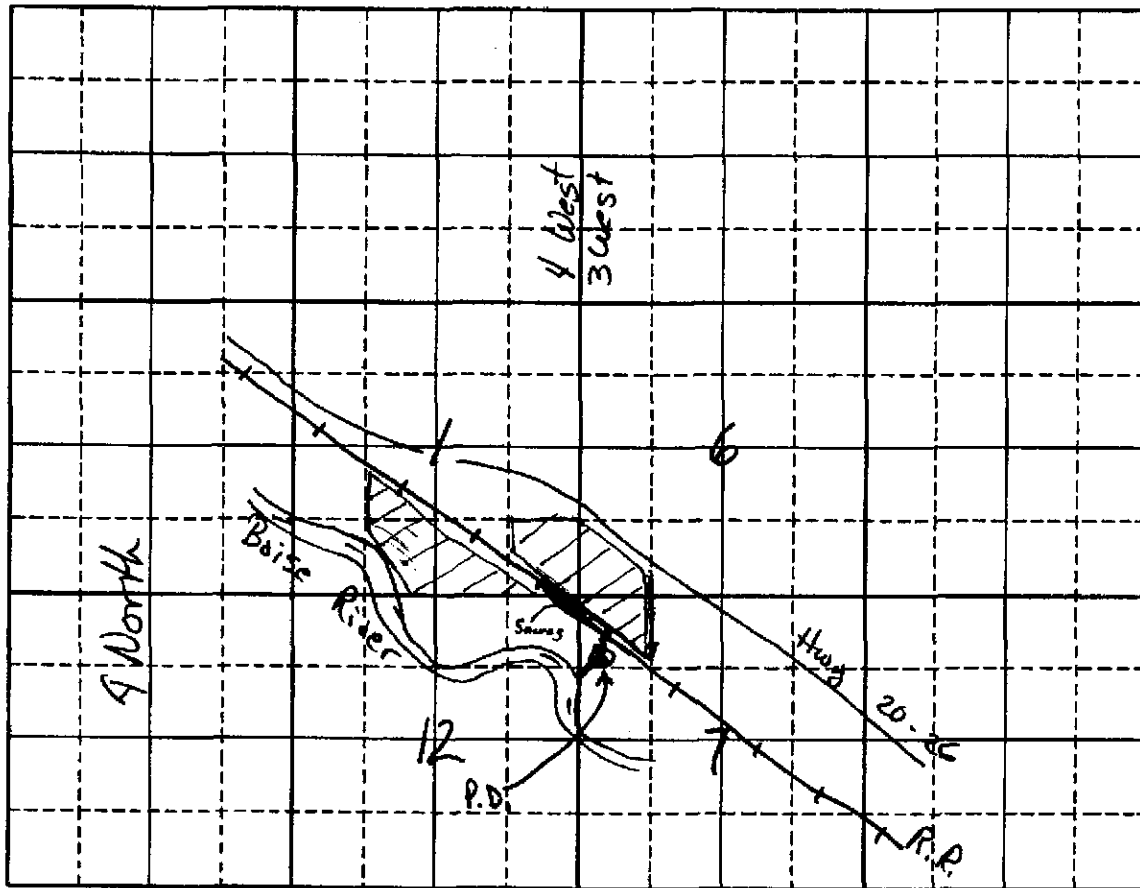
Long form instructions

MICROFILMED

AUG 20 1992

RECEIVED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Ada) ss.

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

Sworn to before me this 12th day of July, 1977.

Notary Public

Residing at

My commission expires March 8, 1980

For Department Use Only

Received by <u>W.H.M.</u>	Date <u>7-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ELS</u>	Date <u>7-13-77</u>		claimant by:	
\$10.00 fee received by <u>of</u>	Date <u>7-12-77</u>	# <u>8132</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>News-Tribune</u>				
Dates <u>July 21 + 28, 1977</u>				