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Documents
In File

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: A63-20672
Date Received: 2/06/1990
Receipt No: 1005760
Received By: YL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLARD A. TRACY 208-459-8905
Address: 20177 WEITZ ROAD
CALDWELL, ID 83605

AND/OR

Name: MYRTLE TRACY
Address: CALDWELL, ID 83605

2. Date of Priority: MAY 01, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04W	24	NE	SE	SW		CANYON

5. Description of diverting works:
4", 100' WELL, 3/4 HP. PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 2 HOMES & UP TO 1/2 ACRE YARD UNDER ONE OWNERSHIP

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	24	SE SW		DOMEST	

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:

A63-02549A WEST END DRAIN FOR IRRIGATION

14. Remarks: *See A63-02549A for map*

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): *x Myrtle J. Tracy* Date: *x Feb 6 - '90*
Date:

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

Subscribed and sworn (or affirmed) before me this *6* day

of *Feb* 19 *90*

John Dal Carlson
Notary Public

Seal

Residing at *Boise Id*

My Commission Expires *4/2/94*

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-20672

NAME & ADDRESS: GARY TRACY
20179 WEITZ RD
CALDWELL ID 83605

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1946

POINT OF DIVERSION: T04N R04W S24 NESESW Within CANYON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 2 HOMES	01-01 12-31	0.08 CFS

PLACE OF USE: DOMESTIC Within CANYON County
T04N R04W S24 SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 1R36383-000-0

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 63-20672

IDWR has completed the following Administrative Proceeding:

☐	Change of Address
☒	Substitution of Party
☐	I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 63-20672

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
7/16/1999

63-20672

PAGE 1

From (Claimant/Seller):

Name of Claimant: WILLARD A TRACY
MYRTLE TRACY
Address: 20177 WEITZ RD
CALDWELL ID 83605
Phone: (208) 459-8905

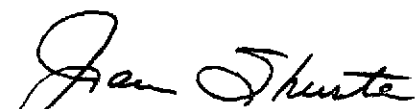
To (Claimant/Purchaser):

Name of Claimant: GARY TRACY
Address: 20179 WEITZ RD
CALDWELL ID 83605
Phone: (208) 459-3714

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 Reports for said water rights. 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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 16, 1999



Signature of IDWR Representative

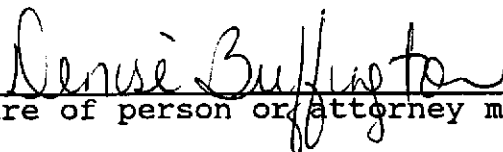
CERTIFICATE OF MAILING

I certify that on July 16, 1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

WILLARD A TRACY
MYRTLE TRACY
20177 WEITZ RD
CALDWELL ID 83605
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

GARY TRACY
20179 WEITZ RD
CALDWELL ID 83605
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED

DEC 17 1998

WATER RESOURCES
WESTERN REGION

1. Water Right or Adjudication Claim No(s): 63-20672 + 403-02549A

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Myrtle Tracy
20177 Weitz Rd. Caldwell, Idaho

4. New Owner/Claimant(s)

Gary Tracy

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
20179 Weitz Rd.

City, State and ZIP Code

Caldwell, Idaho 83605

New Telephone Number

(208) 459-3714

5. Date you acquired the property

March 9, 1993

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate none Number and type of stock none

Diversion rate in CFS 0.08 Number of homes 2 Other uses ---

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Gary A. Tracy
Ch. E. Tracy

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

QUITCLAIM DEED

FOR VALUE Received, MYRTLE TRACY, a widow, of 20177 Weitz Road, Caldwell, Idaho 83605, hereinafter called the first party, does by these presents remise, release and forever QUITCLAIM unto GARY TRACY, a married man, of 20179 Weitz Road, Caldwell, Idaho 83605, hereinafter called the second party, and to his heirs and assigns, all title which first party now has or may hereafter acquire, in the following described real property, situated in Canyon County, Idaho, to wit:

All that part of the North Half of the Southwest Quarter Section 24, Township Four (4) North, Range Four (4) West of Boise Meridian, in Canyon County, Idaho, excepting that part thereof described as follows, to-wit:

BEGINNING at the Northeast corner of the North Half of Southwest Quarter, Section 24; thence South on the East boundary line of said North Half of Southwest Quarter Section 24 a distance of 935.25 feet; thence due West on a line parallel with the North boundary line of said North Half of Southwest Quarter, Section 24, a distance of 2640 feet, more or less, to a point on the West boundary line of said North Half of Southwest Quarter, Section 24, and which point is 935.25 feet south of the Northwest corner of said North Half of Southwest Quarter; thence due North on said West boundary line of said North half of Southwest Quarter a distance of 935.25 feet to the Northwest corner of the North Half of Southwest Quarter; thence due East on the North boundary line of said North Half of Southwest Quarter a distance of 2640 feet, more or less, to the place of beginning.

ALSO

63-20672 The North half of South Half of Southwest Quarter of Section 24, Township 4 North, Range 4 West of Boise Meridian, Canyon County, Idaho, excepting therefrom that part thereof lying South of the south line of the West end drain ditch;

Together with all water, water rights, ditches, and rights of way for ditches appurtenant thereto or in anywise appertaining; subject to rights of way for roads,

ditches and drain ditches now on said premises, including that certain right of way for road described in that certain deed recorded in Book 750 of Deeds, page 564, Records of Canyon County, Idaho;

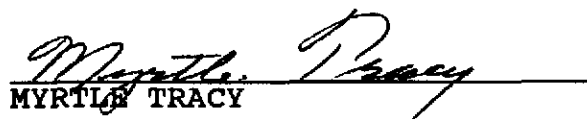
Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part;

Reserving, however, to the Party of the First Part, the right to occupy the mobile home located on the above-described premises during her lifetime.

TO Have and to hold, all and singular the said premises, together with the appurtenances, unto the second party, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said first party has hereunto set his hand and seal.

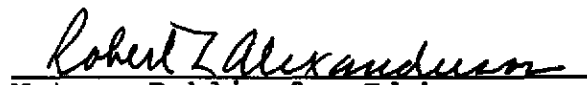
DATED This 9th day of March, 1993.


MYRTLE TRACY

STATE OF IDAHO)
 : ss.
County of Canyon)

On this 9th day of March, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared MYRTLE TRACY, a widow, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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


Notary Public for Idaho
Residing at Caldwell, Idaho

AJ0749NP
No. 63-20672

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/14/99
PAGE: 2

Comments: Date: 07/14/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 07/14/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 16, 1999

RE: Water Right No. 63-20672

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GARY TRACY
20179 WEITZ RD
CALDWELL ID 83605

Dear Mr. Tracy:

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.

In reviewing this water right, our records also show water rights for irrigation use, listed under water right number A63-02549A. The Ownership Change form did not indicate whether or not you acquired these water rights also. If so, please notify this office and we will make the necessary changes. The Quitclaim Deed submitted covers the Place of Use for the irrigation water rights, therefore, no further information will be necessary to make these changes.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Willard and Myrtle Tracy

DATE: 06/29/98
PAGE: 1

CANYON County

Audit: 06/29/98 CWALKER

IDaho DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/11/98
PAGE: 340

NAME & ADDRESS

C WILLARD A TRACY
20177 WEITZ ROAD
CALDWELL ID 83605
(208) 459-8905

05/01/1946 DOMESTIC

DIVERSION RATE
DIVERSION VOLUME

01-01	12-31	0.08 CFS

TOTAL DIVERSON: 0.08 CFS

C MYRTLE TRACY
20177 WEITZ ROAD
CALDWELL ID 83605

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

TQ4N R04W S24

NESESW

CANYON County

Place of use Legal Description for: DOMESTIC

NW
NE

T	R	S	:	Lt	AC	Lt	AC	NENE	NWNE
44N	04W	24	:	---	---	---	---	---	---

[illegible]

POU County: CANYON

Non-irrigation Uses: 2 HOUSES

Other Rights: A63-02549A WEST END DRAIN FOR IRRIGATION

Conditions of Approval:

111 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

113 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP 1R36383-000-0

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Field Inspection
Presumption Flag:

Audit: 02/20/97 CORR2 08/28/97 CORR3

08/28/97 CORR3

WATER RIGHT NUMBER - A63-20672 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - FIRST NAME - - - - + + - - - - ADDRESS - - - - -

*** C - CURRENT OWNER ***
TRACY

WILLARD A.

1 - 20177 WEITZ ROAD

STATE- ID ZIP- 83605

TRACY

1 - 20177 WEITZ ROAD

STATE- ID ZIP- 83605

+ - - PRIORITY DATE - - - + + - - REGION - - - + + - - STAGE - - - + + - - STATUS - - - +
05/01/1946 14 WESTERN J - BENEFICIAL USE

+ - - SOURCE - - - - - + + - - TRIBUTARY - - - - - + + - - TRIBUTARY - - - - - +

+ - - POINT OF DIVERSION - - - - - + + - - STREAM INDEX (BLANK IF NO INDEX CODE) + - - STATUS - - - +

TWN RNG SEC TRACT LOT RFLG COUNTY PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04N 04W 24 NE SE SW (27) CANYON WATER USE - - - - - + + - - TOTAL CONSUMPTIVE USE - - - + + - - KW USAGE - - - +

+ - - CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME 01/01 12/31 0.080

+ - - TOTAL DIV. RATE - - - + + - - TOTAL DIV. VOLUME - - - + + - - TOTAL DIV. CAPACITY - - - + + - - TOTAL CONSUMPTIVE USE - - - + + - - KW USAGE - - - +

+ - - TWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY

04N 04W 24 SE SW 43 DOMESTIC (27) CANYON

+ - - DIVERSION MEANS - 4", 100' WELL, 3/4 HP. PUMP & PIPELINE

+ - - NON-IRRIGATION USE - DOMESTIC, 2 HOMES & UP TO 1/2 ACRE YARD UNDER ONE OWNERSHIP

+ - - OTHER RIGHTS FOR SAME USE - A63-02549A WEST END DRAIN FOR IRRIGATION

+ - - REMARKS - - - - - + + - - REMARKS - - - - - + + - - REMARKS - - - - - +

+ - - OLD WATER RIGHT NUMBERS - - - - - + + - - OLD WATER RIGHT NUMBERS - - - - - + + - - OLD WATER RIGHT NUMBERS - - - - - +

+ - - CONDITIONS OF APPROVAL - - - - - + + - - CONDITIONS OF APPROVAL - - - - - + + - - CONDITIONS OF APPROVAL - - - - - +

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - DECREE DATE - +
00/00/0000

- COMMENTS -

NO COMMENTS FOUND

[illegible]

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

1 R 363 83-060-0

CERTIFIED
JUL 18 1991
WATER EXAMINER

DATA ENTRY
ENTERED _____
CHECKED _____

"Verified By"
 Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
JUL - 1991