

No Color
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: A63-20774
Date Received: 2/08/1990
Receipt No: MOD 5797
Received By: SE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DE WAYNE A. BERKENBILE
Address: 22108 POND LN.
CALDWELL, ID 83605

2. Date of Priority: JUN 01, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	03W	9	NW	SE	SW		CANYON

5. Description of diverting works:
WELLS(2), 1-80' DEPTH, 6" CAS. WITH PIPE TO HOUSE, 1-W/GAS PUMP-DOM IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME, LAWN & GARDEN.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	03W	9	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:
N/A

14. Remarks:

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 X 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): *[Signature]* Date: 2/8/90
_____ Date: _____

State of Idaho)
County of CANYON) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of FEB. 1990 *[Signature]*
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

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

RECEIVED

SEP 23 2004

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63- 20774					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

Donald A. Brown
P.O. Box 635, MARSING, ID 83639

4. New Owner/Claimant(s)

DORENA BROWN
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 519, 22108 Pond Ln

City, State and ZIP Code

Caldwell, Id. 83606

New Telephone Number

(208) 880-6528

5. Date you acquired the property

April 6, 2004

Note - Original sent to S.O. Decreed 2001

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

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

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

7. Signature of New Owner(s) or Claimant(s) Dorina Brown
(include title if applicable) _____

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

Donald A. Brown, an unmarried man

the Grantor ^{do es} hereby grant, bargain, sell and convey unto
An unmarried woman

Dorena M Brown

the Grantee, whose address is 22108 Pond Lane, Caldwell, Id 83607

the following described premises, to-wit:

A Tract of land situated in Canyon County, Idaho described as follows:

Beginning at the point of intersection of the Southerly boundary line of the South branch of the Old Oregon Trail Highway survey as particularly described in Deed recorded December 31, 1930 at 9:05 o'clock A.M., Document No. 182983 in Book 118 of Deeds, page 385 of records of records of Canyon County, Idaho, with the West boundary line of the Southeast Quarter of the Southwest Quarter of Section 9, Township 4 North, Range 3 West of the Boise Meridian; from said point of beginning run thence South along the West boundary line of the said Southeast Quarter of the Southwest Quarter, a distance of 425 feet; thence run East, at an angle of 90°, a distance of 105 feet; thence run North on a line parallel with the West boundary line of said Southeast Quarter of the Southwest Quarter, a distance of 400 feet, more or less, to a point in the Southerly boundary line of the right of way of the aforesaid South branch of the Old Oregon Trail Highway survey; thence run Northwesterly along Said Southerly boundary line to the point of beginning.

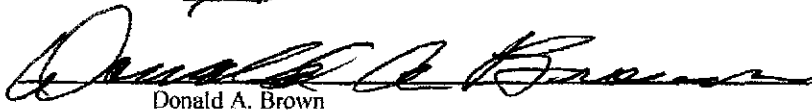
Together with all water and ditch rights and rights of way for water and ditches.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor ^{do es} hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that said premises are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March ~~31~~ 30, 2004


Donald A. Brown

STATE OF IDAHO, COUNTY OF

On this 6th day of April, 2004
before me, a notary public in and for said State, personally



RECEIVED
TYPE *Real* FEE *3.00*
Dorena Brown

RECORDED

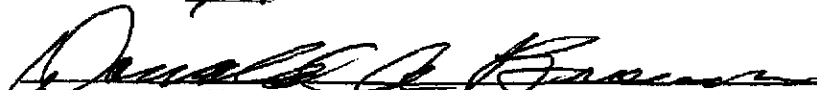
CANYON COUNTY RECORDS
G. NOEL HALLS
APR 6 PM 3
Donna M. Brown

200418396

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
heirs and assigns forever. And the said Grantor do es hereby covenant to
and with the said Grantee , that he the owner in fee simple of said premises; that
said premises are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

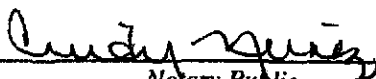
Dated: March ~~7~~ 31, 2004


Donald A. Brown

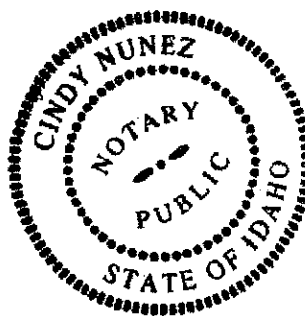
STATE OF IDAHO, COUNTY OF

On this 6th day of April 2004
before me, a notary public in and for said State, personally
appeared Donald A. Brown

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that he executed the same.


Notary Public

Residing at Canyon, Idaho
Comm. Expires 3-02-10



423 So. Kimball
Caldwell, Idaho 83605

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 - 10th Ave. South
Nampa, Idaho 83651

SRBA

SUBCASE SUMMARY REPORT 63-20774

[Return to SRBA Home Page](#)

SRBA
09-23-2004

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 63-20774 FILE#: 00687
CLAIMANT: BROWN, DONALD A
PO BOX 635

MARSING ID 83639
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: GROUNDWATER

****** PARTIES INVOLVED ******

DONALD A BROWN C PRO SE

****** ROA ENTRIES ******

06-22-1999	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	06-22-1999
06-22-1999	NCAP - AMENDED DIRECTOR'S REPORT FILED	
	SUBSTITUTE PARTY - BROWN FOR BERKENBILE	
05-17-2001	PARTIAL DECREE FILED	05-17-2001

[Return to SRBA Home Page](#)

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-20774

NAME & ADDRESS: DONALD A BROWN
PO BOX 635
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1952

POINT OF DIVERSION: T04N R03W S09 NWSEW Within CANYON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CANYON County
T04N R03W S09 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. 3R 04N03W096900

In Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 63-20774
)

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

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

Water Right(s): 63-20774

From (Claimant/Seller):

Name of Claimant: DE WAYNE A BERKENBILE
Address: 22108 POND LN
CALDWELL ID 83605

To (Claimant/Purchaser):

Name of Claimant: DONALD A BROWN
Address: PO BOX 635
MARSING ID 83639
Phone: (208) 454-7839

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: June 10, 1999



Signature of IDWR Representative

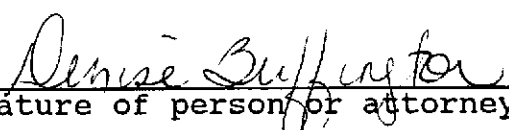
CERTIFICATE OF MAILING

I certify that on June 10, 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:

DE WAYNE A BERKENBILE
22108 POND LN
CALDWELL ID 83605
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

DONALD A BROWN
PO BOX 635
MARSING ID 83639
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

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 13 1999

MAY 25 1999 NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGIONPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: 63-20774
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 DeWayne A Berkenbile
22108 Pond Ln Caldwell ID 83605
4. New Owner/Claimant(s) Donald A Brown
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address PO Box 635
City, State and ZIP Code MARASING, ID 83639
New Telephone Number (208) 454-7839
5. Date you acquired the property Oct 19, 95 Paid Property off Jan 18, 99
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 _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ 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) Donald A Brown
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign 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. N., 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

WARRANTY DEED

FOR VALUE RECEIVED, DeWAYNE A. BERKENBILE, a single person, the Grantor, does hereby grant, bargain, sell and convey unto D. A. BROWN, of P. O. Box 635, Marsing, Owyhee County, Idaho 83639, the Grantee, the following described premises, situated in Canyon County, State of Idaho, to-wit:

A tract of land situate in Canyon County, Idaho, described as follows:

Beginning at the point of intersection of the Southerly boundary line of the South branch of the Old Oregon Trail Highway survey as particularly described in Deed recorded December 31, 1930 at 9:05 o'clock A.M., Document No. 182983 in Book 118 of Deeds, page 385 of records of Canyon County, Idaho, with the West boundary line of the Southeast Quarter of the Southwest Quarter of Section 9, Township 4 North, Range 3 West of the Boise Meridian; from said point of beginning run thence South along the West boundary line of the said Southeast Quarter of the Southwest Quarter, a distance of 425 feet; thence run East, at an angle of 90°, a distance of 105 feet; thence run North on a line parallel with the West boundary line of said Southeast Quarter of the Southwest Quarter, a distance of 400 feet, more or less, to a point in the Southerly boundary line of the right of way of the aforesaid South branch of the Old Oregon Trail Highway survey; thence run Northwesterly along said Southerly boundary line to the point of beginning.

Together with all water and ditch rights and rights of way for water and ditches.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated this 25th day of October, 1995.

DeWayne A. Berkenbile
DeWayne A. Berkenbile

STATE OF IDAHO)
County of Canyon) ss.

On this 25th day of October, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared DeWAYNE A. BERKENBILE, a single person, 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.

Donald E. Power
Notary Public for Idaho
Residing at Caldwell, Idaho
My commission expires 11-31-97

9903220

RECORDED

99 JAN 27 AM 11 21

C. J. HALE

CANYON COUNTY RECORDER

BY DeWayne A. Berkenbile

PIONEER — CALDWELL

REQUEST

TYPE Deed FEB 16 1995

DATE: 06/07/99
PAGE: 1

PAGE: 1

PRIORITY
DATE

0.04 CFS

MARSING ID 83639
(208) 454-7839

Stage: BENEFICIAL USE

CANYON County

Place of use Legal Description for: DOMESTIC

WS

PM :	NESW	NWSW
C :	Lt AC	Lt AC Lt
:	---	---
:		

• • •

POW County: CANYON

Non-Irrigation Uses: 1 HOME

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-15664 A63-15664 A63-20774

Other Water Rights Listing Overlapping Place(s) of Use:
A63-00138E A63-00252 A63-00369

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP 04N03W096900 PARCEL NO. 3R

Dates: _____ **Exam Made Date:** _____

Objection Filed Date:

Misc:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. 63-20774

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

DATE: 06/07/99
PAGE: 2

Comments: Date: 06/07/1999 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: 06/07/99 DBUFFING



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 10, 1999

RE: Water Right No. 63-20774

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DONALD A BROWN
PO BOX 635
MARSING ID 83639

Dear Property Owner:

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.

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,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: De Wayne A Berkenbile



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

May 14, 1999

DONALD A BROWN
PO BOX 635
MARSING ID 83635

RE: Notice of Change of Water Right Ownership No. 63-20774

Dear Property Owner(s):

Enclosed is a copy of your Notice of Change of Water Right Ownership form that you recently submitted to our office. However, we cannot continue to process the ownership change without proof of ownership. This proof can be a copy of a warranty deed(s), sales contract or tax assessment in your name(s) which includes the legal description of the property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

Please submit a copy of your proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB:d

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Don A Brown
PO Box 635
Marsing ID 83639

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-20774

Dear Mr. Brown:

Per your recent contact with Shelley Keen of our Orchard office, we have been advised you are the new owner of the property with the water right referenced above.

I have checked our files, and did not show that an Ownership Change had been previously filed for this property. If you could, please complete the enclosed Notice of Change of Water Right Ownership form. The instructions are on the back of the form. Please return this form to our office with all of the required information.

I apologize for any inconvenience this may have caused you. If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosures

Shurte, Jan

From: Keen, Shelley
Sent: Friday, April 23, 1999 11:22 AM
To: Shurte, Jan
Subject: Address change for 63-20774

Jan,

Today I spoke with Don A. Brown about a number of items, including an ownership change notice he says was submitted for A63-20774. If it was filed, it apparently has not yet been processed; the claim is still in the name of Berkenbile. Mr. Brown asked me to be sure his mail gets sent to PO Box 635, Marsing, ID, 83639. If the ownership change notice does not show the Marsing address, you may need to correspond with him to get something in writing. Let me know if I can help.

Shelley Keen

Letter sent 4/27.
DB

DATE: 06/20/98
PAGE: 1

PAGE: 1

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
01-01 12-31	0.04 CFS	
DIVERSION:		
	0.04 CFS	

Stage: BENEFICIAL USE

CANYON County

[illegible]

Other Rights: N/A

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Objection Filed Date:

Audit: 06/20/98 CWALKER

DATE: 06/12/98
PAGE: 95

Audit: 02/27/97 CORR2

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(CD-26)

WATER RIGHT NUMBER - A63-20774 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - - - - FIRST NAME - - - - + + - - - - ADDRESS - - - - - - - - +

*** C - CURRENT OWNER ***
BERKENBILE

DE WAYNE A.

1 - 22102 POND LN.

2 -

3 -

CITY- CALDWELL
PHONE - 208-000-0000

STATE- ID ZIP- 83605

+ - - - - PRIORITY DATE - - - - + + - - - - REGION - - - - + + - - - - STAGE - - - - + + - - - - STATUS - - - - +
06/01/1952 14 WESTERN J - BENEFICIAL USE

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

+ - - - - TRACT - +
TWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION - +
04N 03W 9 NW SE SW (27) CANYON STREAM INDEX (BLANK IF NO INDEX CODE)

+ - - - - CODE - +
43 - DOMESTIC 01/01 12/31 0.040 DIVERSION RATE DIVERSION VOLUME

+ - - - - TOTAL DIV. RATE - - - - + + - - - - TOTAL DIV. CAPACITY - - - - + + - - - - TOTAL CONSUMPTIVE USE - - - - + + - - - - KW USAGE - - - - +
0.040

+ - - - - TWN RNG SEC TRACT LOT ACRES DESCRIPTION CODE PLACE OF USE - +
04N 03W 9 SE SW 43 DOMESTIC (27) CANYON COUNTY

+ - - - - DIVERSION MEANS - WELLS(2), 1-80' DEPTH, 6" CAS. WITH PIPE TO HOUSE, 1-W/GAS PUMP-DOM IRR

+ - - - - NON-IRRIGATION USE - DOMESTIC 1 HOME, LAWN & GARDEN.

+ - - - - OTHER RIGHTS FOR SAME USE - N/A

+ - - - - REMARKS - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - + + - - - - DECREE DEFENDANT - - - - + + - - - - DECREE DATE - - - - +
00/00/0000

+ - - - - AUDIT FIELDS - 02/08/90 MOBILE2

PREFIX TRANSLATION: ADJUDICATION CLAIM

WATER RIGHT NUMBER - A63-20774

NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 02/08/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- MU05797	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	PJU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-		

3R04N03W096900

DATA ENTRY
ENTERED
CHECKED

Verified By: [Signature]
Topo Map
A/C Map
Water Right Records
Map Photos
Field Exam
Other (See Remarks)
County Records
Witness Statements
Project Records
IDWR Records

VERIFIED
FEB 14 1993

CERTIFIED
FEB 23 1993
WATER EXAMINER