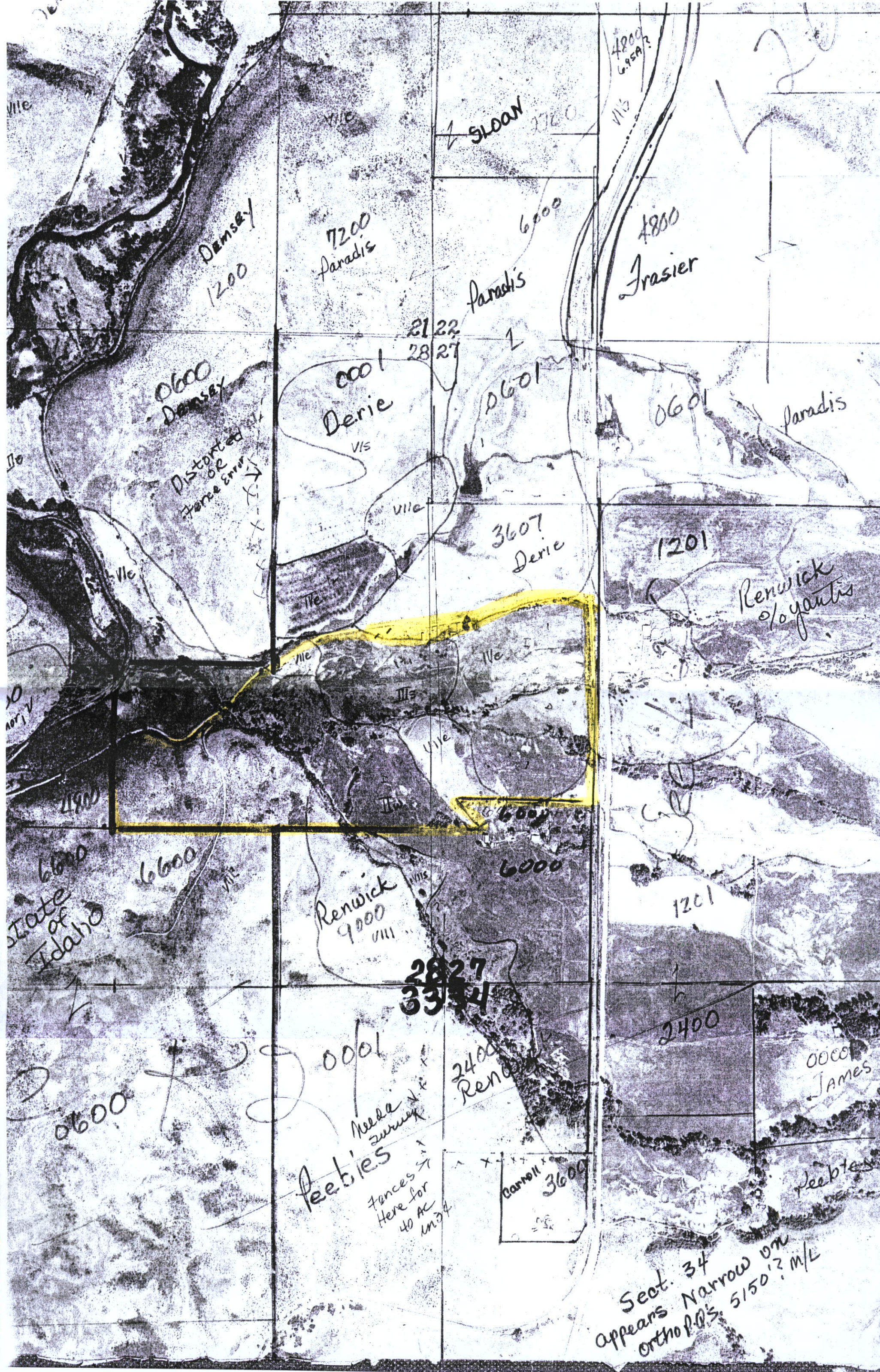




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Need a  
survey

Peetles

Fences  
for  
40 Ac  
m34

2827  
3334

2400  
Ren

3600  
Carnoll

Sect. 34  
appears narrow on  
ortho P.D's. 5150' m/L

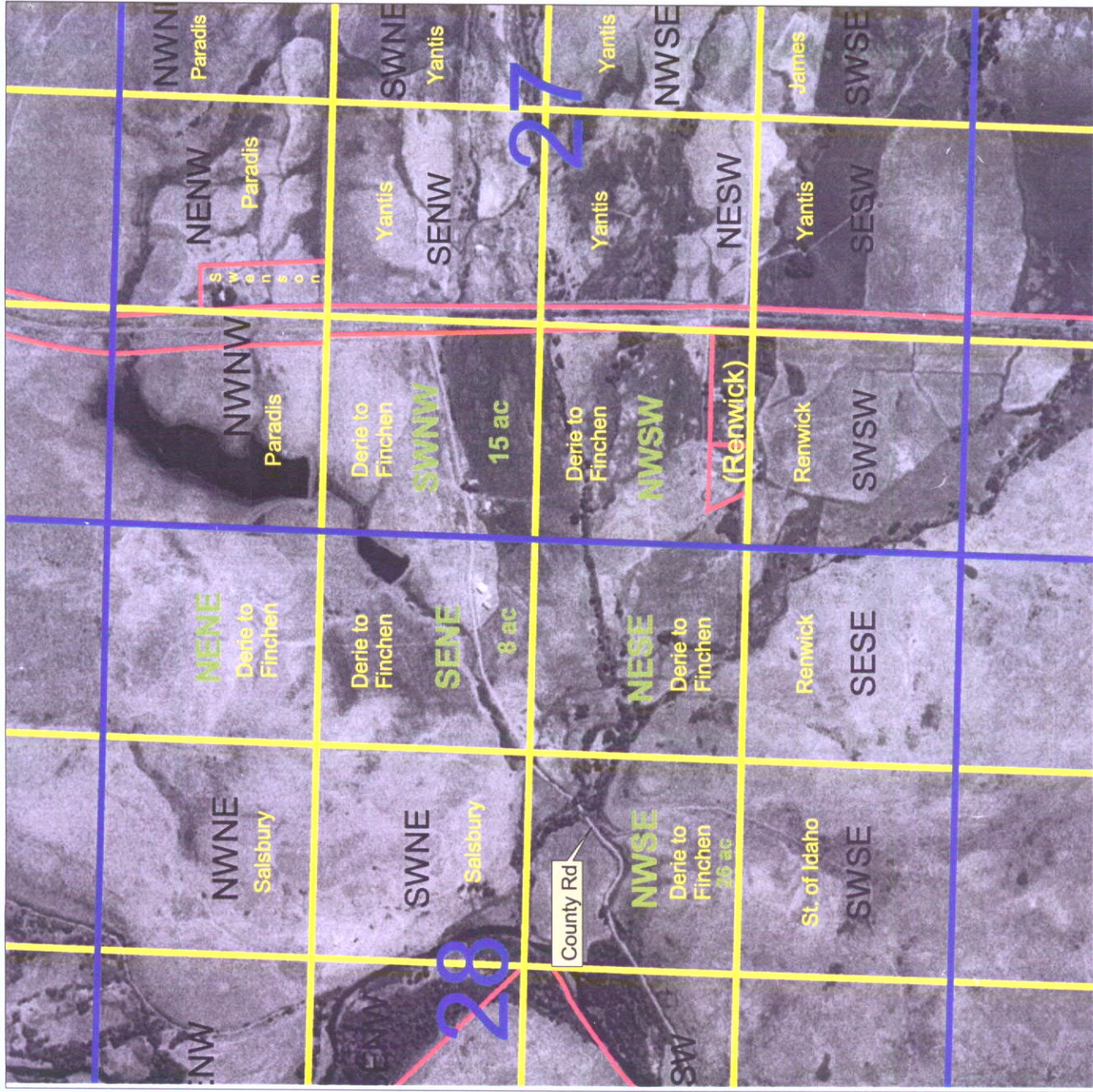
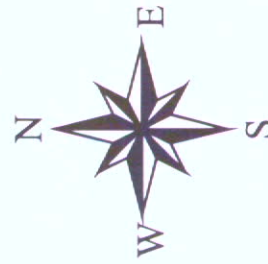
# Finchen

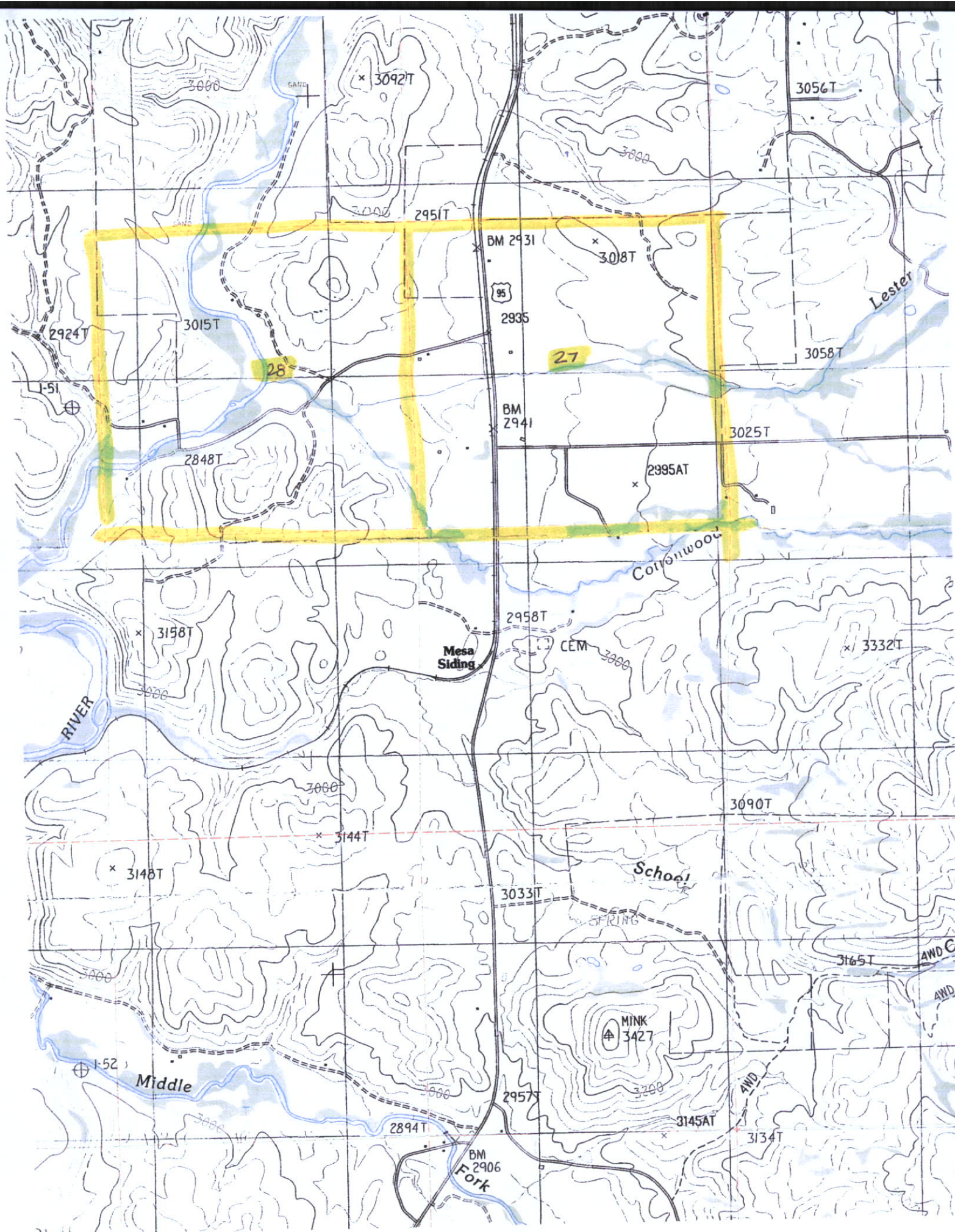
67-11025

16N 1W

- Finchen Property
- Section Line
- QQ Line
- Tax Lot Data

Note: Finchen purchased  
land South of County Road





DO NOT FILM

PD  
RG7-11025

PD  
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See Map  
RG7-11025

RG7-11025

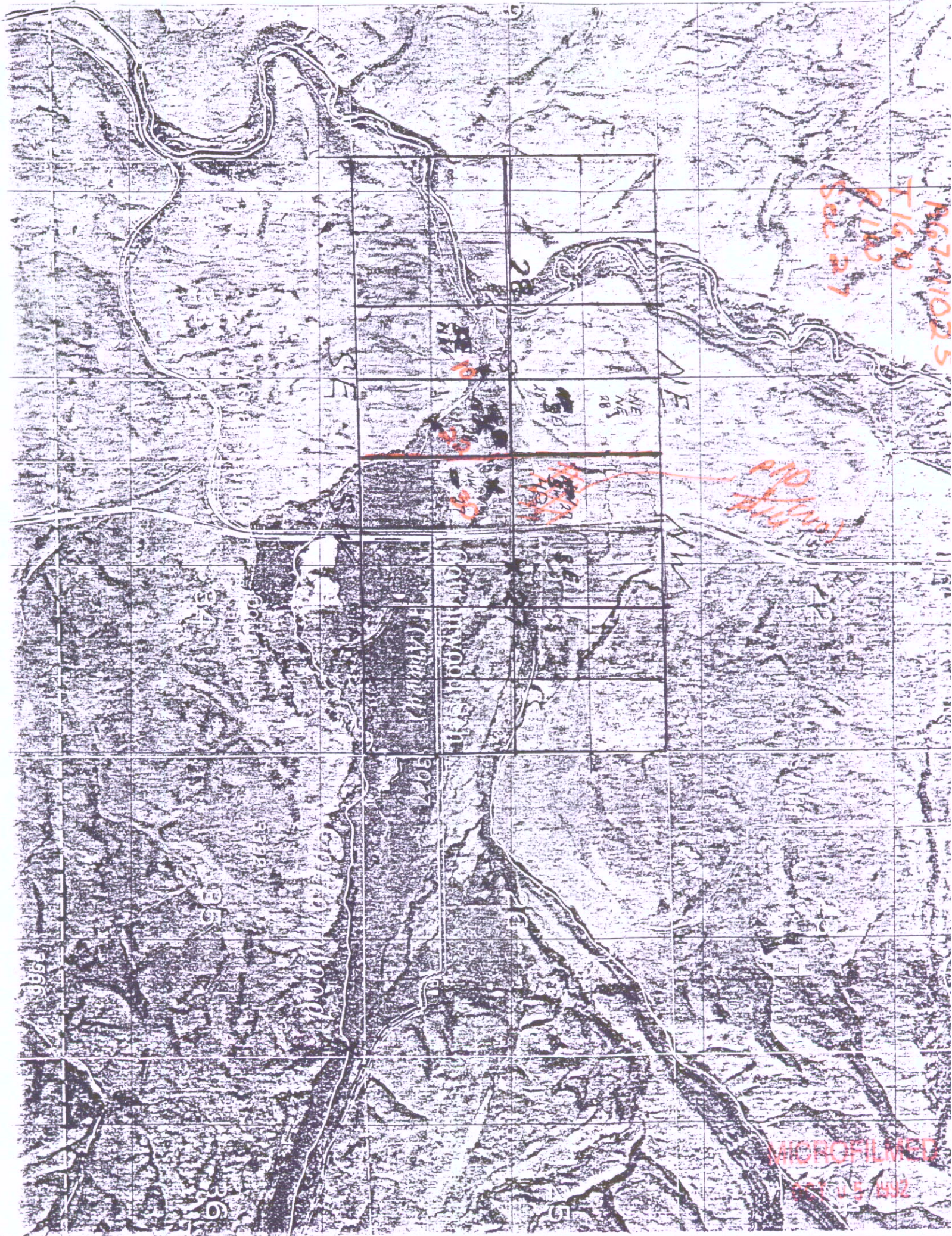
NOT FILMED

DO NOT FILM

167-11025  
T1611  
Sec 27

pro  
dug

MICROFILMED  
DEC 15 1992



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 67-11025  
Date Received: 10/19/1989  
Receipt No: W006448  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ANTHONY J FINCHEN  
5718 E AIRPORT RD  
NAMPA ID USA 83687

Phone: (208) 442-8917

2. Date of Priority: 08/31/1953

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 16N      | 01W   | 28      | NW SE                 | ADAMS  |      |
| 16N      | 01W   | 28      | NE SE                 | ADAMS  |      |

5. Description of diverting works:

DAM, HEADGATE, DITCHES

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 3/15 | 11/15 | 1.24   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 16N      | 01W   | 27      | NW         | SW  | IRRIGATION    | 30    |
|          |       |         |            |     | Section Acres | 30    |
| 16N      | 01W   | 28      | NE         | SE  | IRRIGATION    | 22    |
|          |       |         | NW         | SE  | IRRIGATION    | 10    |
|          |       |         |            |     | Section Acres | 32    |
|          |       |         |            |     | Total Acres   | 62    |

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 9/22/2003

15. Basis of Claim: Beneficial Use

67-11025 Finney  
gets:

S-27      NWSW      all 30 ac

S-28      NESE      all 22 ac  
            NWSE      all 10 ac

NO split

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

**RECEIVED****SEP 15 2003****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 division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s).       | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 67-4038 <i>Sent to S.O.</i> |                              | no    | 67-11026              |                              | yes   |
| 67-2208                     |                              | no    |                       |                              |       |
| 67-12330                    |                              | no    |                       |                              |       |
| 67-322                      |                              | no    |                       |                              |       |
| 67-11025                    |                              | yes   |                       |                              |       |

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) is 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) Larry D. Derie & June Derie  
HC 62, Box 1720, Council, ID 83612
4. New Owner/Claimant(s) Anthony J. Finchen  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 5718 E. Airport Rd.
- City, State and ZIP Code Nampa, ID 83687
- New Telephone Number (208) 442-8917
5. Date you acquired the property 9/02/03

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<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>67-11025</u>                                                            |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>1.04 cfs</u>                                                            | <u>42 acres</u>                                              |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   |                                                                            |                                                              |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>67-11026</u>                                                            |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>.95 cfs</u>                                                             | <u>47.5 acres</u>                                            |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   |                                                                            |                                                              |

7. Signature of New Owner(s) or Claimant(s) Anthony J. Leichen  
(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 DH Date 9-15-03 Fee \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

INSTRUMENT NO. 104453  
PAGE 1 OF 2

WARRANTY DEED

For Value Received, LARRY DUANE DERIE and JUNE ILENE DERIE, husband and wife  
the grantors, do hereby grant, bargain, sell and convey unto  
ANTHONY J. FINCHEN, a single man

the grantee, whose current address is 5718 E. Airport Rd., Nampa, ID 83687  
the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee,  
his heirs and assigns forever. And the said Grantors do hereby covenant to and with the  
said Grantee, that they are the owners in fee simple of said premises; that they are free  
from all encumbrances excepting for all easements of record, rights of way, matters  
visible, and all matters of record and title and that they will warrant and defend the  
same from all lawful claims whatsoever.

Date: September 2, 2003

Larry Duane Derie  
LARRY DUANE DERIE

June Ilene Derie  
JUNE ILENE DERIE

Instrument # 104453

COUNCIL, ADAMS, IDAHO

2003-09-03

10:50:39 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

STATE OF Idaho

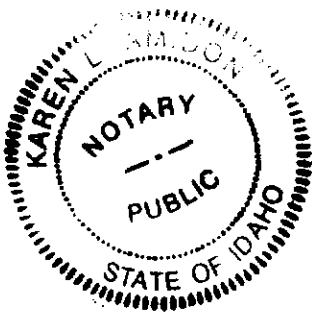
COUNTY OF Adams

)  
: ss  
)

On this 2nd day of September, in the year of 2003, before me, a Notary Public in and for said State, personally appeared

LARRY DUANE DERIE & JUNE ILENE DERIE

known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me  
that they executed the same.



Karen L. Harrison  
Notary Public

Residing at: Cornbridge, ID

Commission expires: 6/26/2009

## EXHIBIT 'A'

INSTRUMENT NO. 104453PAGE 2 OF 2

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho:

All that part of the E1/2NE1/4 and N1/2SE1/4 of Section 28 and the SW1/4NW1/4 and NW1/4SW1/4 of Section 27 lying South of the County Road known as Jackson Creek Road.

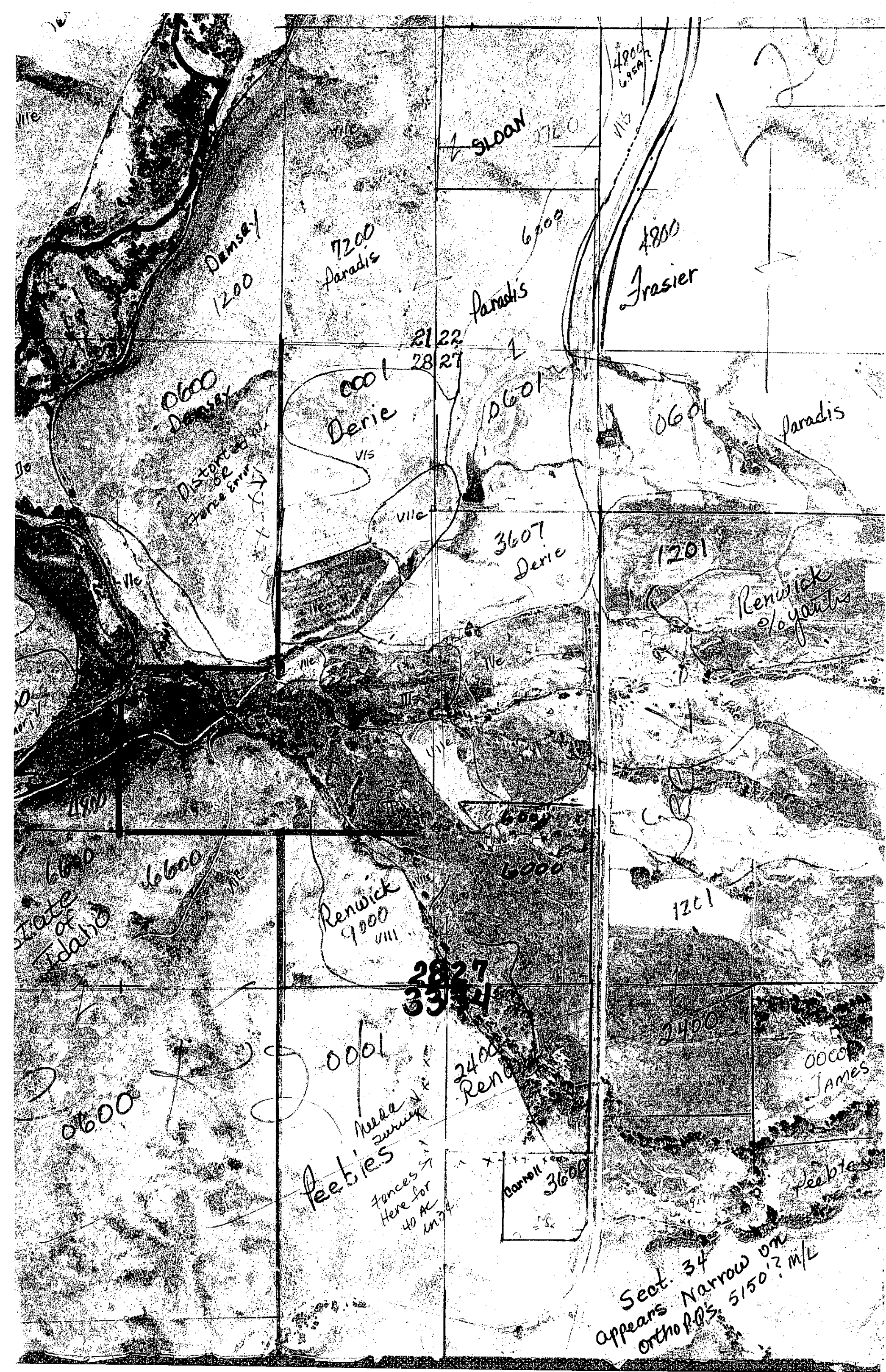
EXCEPTING THEREFROM the right-of-way of the former Pacific & Idaho Northern Railway now known as Friends of the Weiser River Trail and the County Road.

ALSO EXCEPTING THEREFROM the two parcels of land located in the NW1/4SW1/4 of Section 27 T16NR1WBM previously conveyed to James A. Renwick and Margaret Renwick, husband and wife, as referenced in Book 27 of Deeds page 491 and Book 32M page 38, records of Adams County, Idaho.

Acres lying South  
of County Road →

|      |       |       |
|------|-------|-------|
| S-27 | SWNW  | 15 ac |
|      | NW SW | all   |

|                       |       |       |
|-----------------------|-------|-------|
| S-28                  | SE NE | 8 ac  |
|                       | NE SE | all   |
|                       | NW SE | 26 ac |
| (NENE does not apply) |       |       |



# Finchen

67-11025

16N 1W

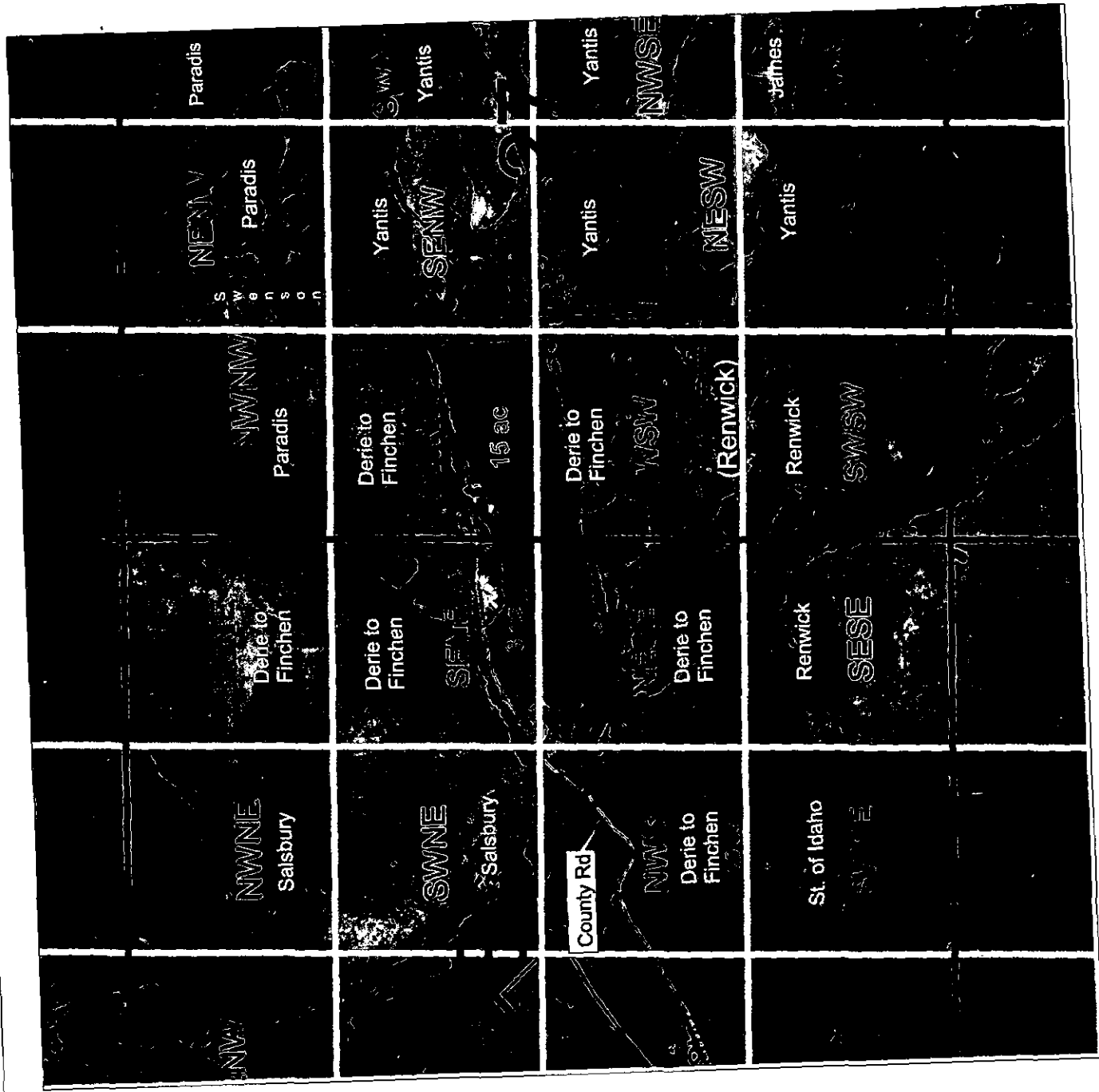
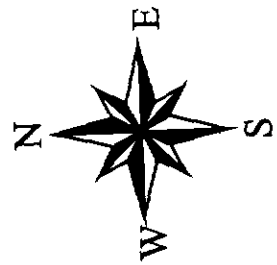
☐ Finchen Property

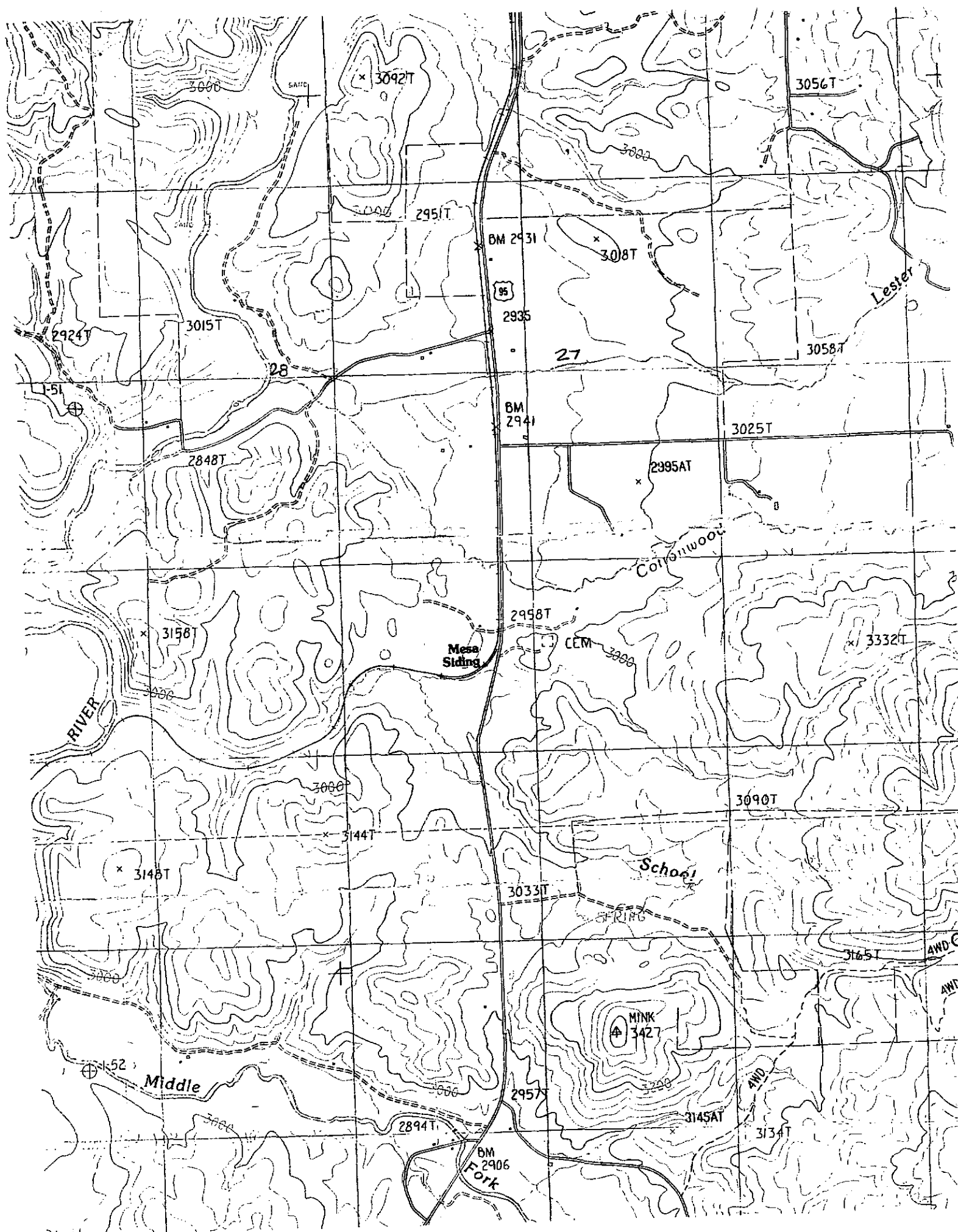
☐ Section Line

QQ Line

☐ Tax Lot Data

Note: Finchen purchased  
land South of County Road





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: A67-11025  
Date Received: 10/19/1989  
Receipt No: W006448  
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LARRY D. DERIE 208-253-6068  
Address: HC 62, BOX 1720  
COUNCIL, ID 83612

2. Date of Priority: AUG 31, 1953

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 16N      | 01W   | 28      | NE     | SE     |     |     | ADAMS  |
|          |       |         | NW     | SE     |     |     | ADAMS  |

5. Description of diverting works:  
DAM, HEADGATE, DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.240  |      |        |

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

8. Total consumptive use is 217.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 16N           | 01W   | 27      | NW     | SW  |     | IRR | 30.0  |
| Section Acres |       |         |        |     |     |     | 30.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 16N      | 01W   | 28      | NE     | SE  |     | IRR           | 22.0  |
|          |       |         | NW     | SE  |     | IRR           | 10.0  |
|          |       |         |        |     |     | Section Acres | 32.0  |
|          |       |         |        |     |     | Total Acres   | 62.0  |

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

B.U. CLAIM-LESTER CR., A67-02208, A67-04038, A67-00322

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        wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:       2      

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):       Larry Deric       Date:       Oct 19/1989        
\_\_\_\_\_ Date: \_\_\_\_\_

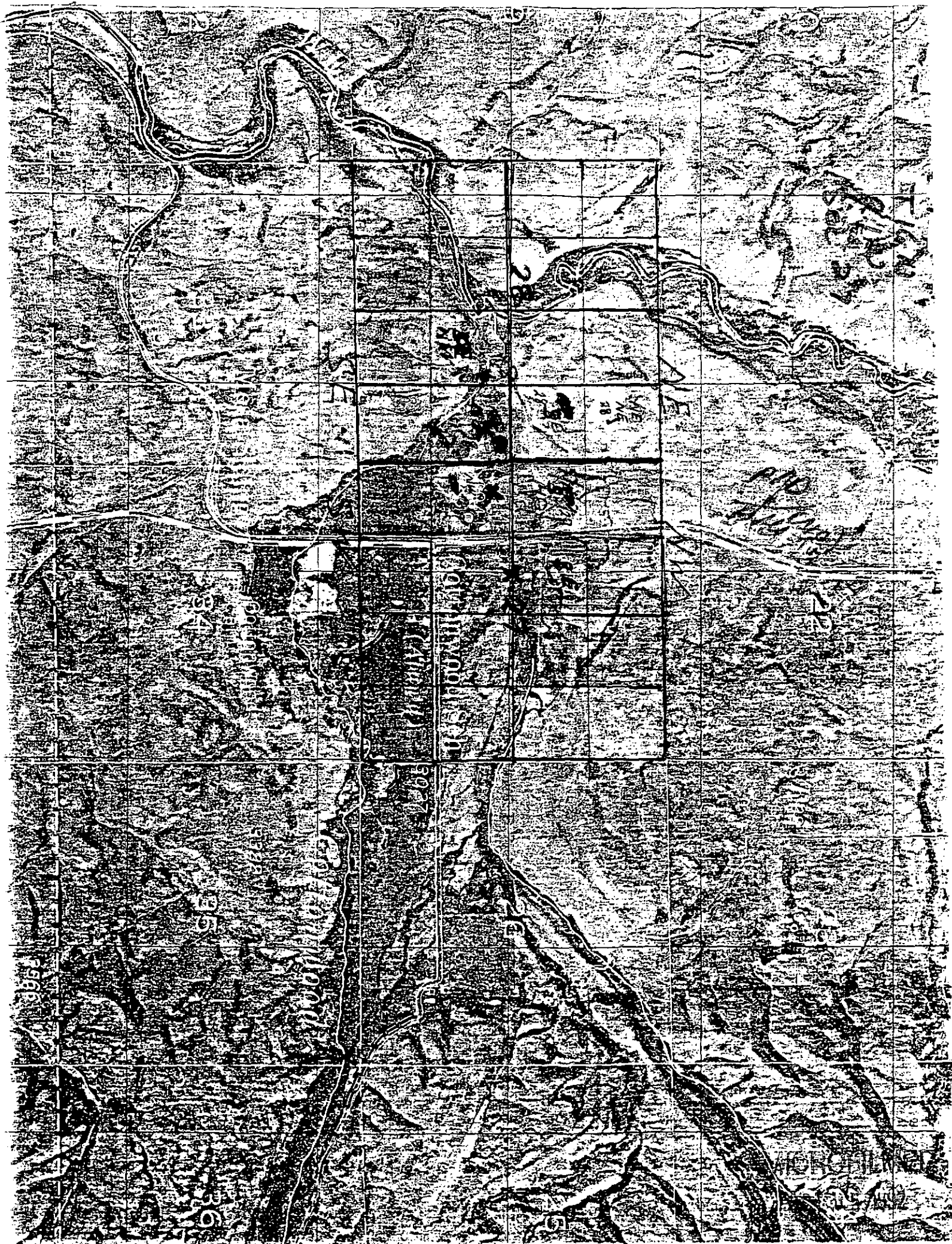
State of Idaho )  
County of Ada ) SS.  
\_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this 19 day  
of Oct 19 89 \_\_\_\_\_  
Notary Public

Seal

Linda A. Werner  
Residing at Boise, Idaho  
Residing at \_\_\_\_\_ My Commission Expires December 8, 1991  
My Commission Expires \_\_\_\_\_





## MEMO

TO: Files 67-322, 67-11025, 67-14434, 67-14435, 67-14436, 67-14437, 67-14438,  
67-14439  
FROM: Denise Hatfield  
DATE: September 23, 2003  
SUBJECT: Ownership change and split information

In reviewing this change of ownership, the change of ownership form received indicated that water right numbers 67-11025 & 67-11026 result in a split. However, after reviewing the claims and the maps, it was determined that the claims to be split are actually 67-2208 and 67-12330, in addition to 67-11026. Claim numbers 67-322 & 67-11025 do not appear to be splits.

Anthony Finchen (new owner) purchased land in Sections 27 & 28, *South of the County Rd.* Refer to the maps in each file for further information.



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 24, 2003

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

ANTHONY J FINCHEN  
5718 E AIRPORT RD  
NAMPA ID 83687

Re: Original Notice of Claim to a Water Right No. 67-2208  
Renumbered Notice of Claim to a Water Right No. 67-14435

Original Notice of Claim to a Water Right No. 67-11026  
Renumbered Notice of Claim to a Water Right No. 67-14437

Original Notice of Claim to a Water Right No. 67-12330  
Renumbered Notice of Claim to a Water Right No. 67-14439

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Please note, the ownership has also been changed on claim numbers 67-322 and 67-11025; and copies are enclosed for your records.

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section  
Western Region

DH: dh

Enclosure