

11/09/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 2, 2005

Water right number: 2-2318A

WILLIAM R WILKERSON SR
2520 S POWERLINE RD
NAMPA ID 83686
Telephone Number: (208)466-2175

IMOGENE E WILKERSON
2520 S POWERLINE RD
NAMPA ID 83686
Telephone Number: (208)466-2175

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 11-29-05

SIGNATURE:

William R Wilkerson Sr.

Please print your name:

William R. Wilkerson Sr.

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02318A Date: 10-10-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	5W	14						-6	-6	-5									13.3
GIS									3	1.7	8.6									13.3
									no	4.3	9									
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 13.3

Overlapping POU Claim #'s:

Total GIS Acres: 13.3

COMMENTS:

POU per claim map.

POD per claim legal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WILLIAM R WILKERSON SR
IMOGENE E WILKERSON
2520 S POWERLINE RD
NAMPA ID 83686

Re: Notice of Claim to a Water Right No. A02-02318A

Dear Claimants:

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

09/12/2006

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

RIGHT NUMBER: 2-2318A

NAME AND ADDRESS: WILLIAM R WILKERSON SR
2520 S POWERLINE RD
NAMPA ID 83686

IMOGENE E WILKERSON
2520 S POWERLINE RD
NAMPA ID 83686

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.270 CFS

PRIORITY DATE: 06/05/1964

POINT OF DIVERSION:

T03N R05W S14 NWNW Lot 6 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.270 CFS

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T03N R05W S14 Lot 6 SWNW 4.30 T03N R05W S14 Lot 5 SENW 9.00

13.3 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 - License

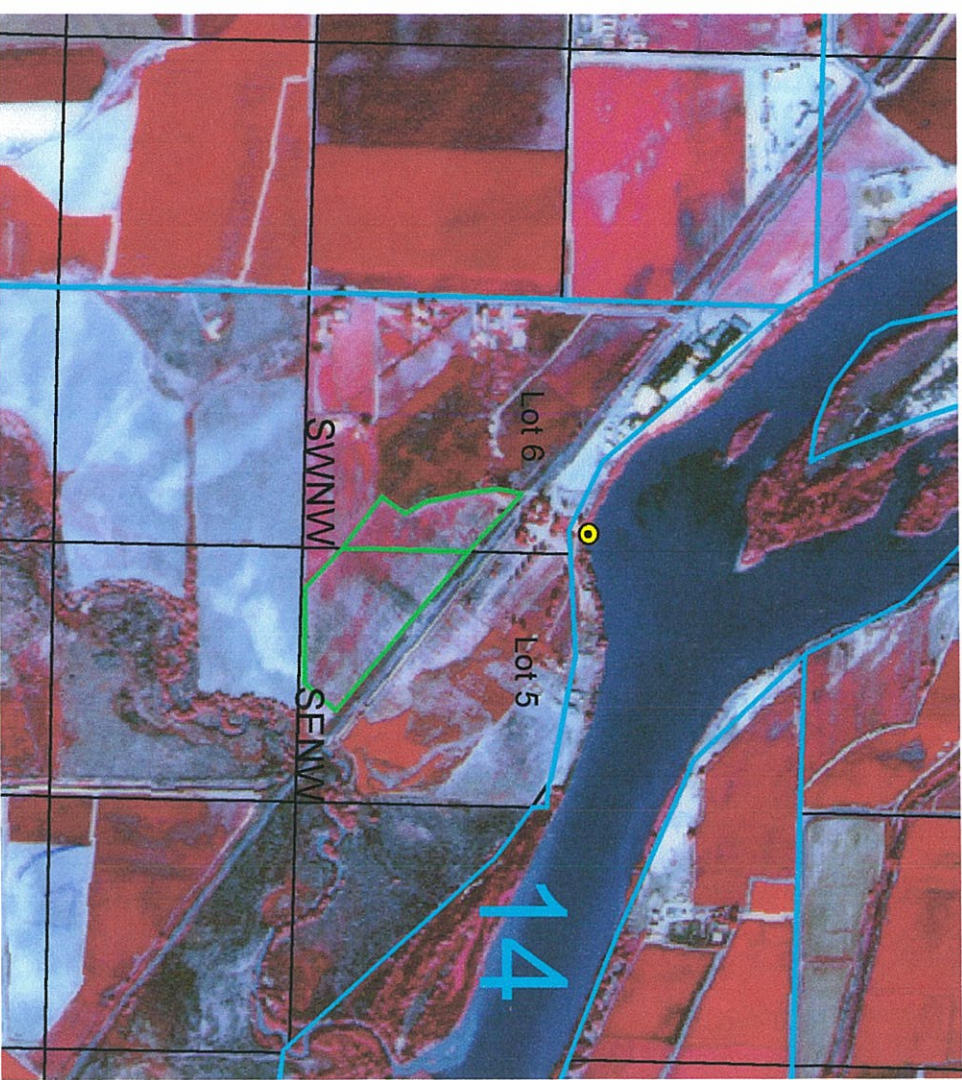
Place of use is within the area served by Gem Irrigation District.

The following rights are also diverted through point of diversion described above: 2-2318B

Idaho Department of Water Resources

Claim Number: 02-02318A
Legal: T03N, R05W, S14
Reviewed By:

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



1987 Napp Photo

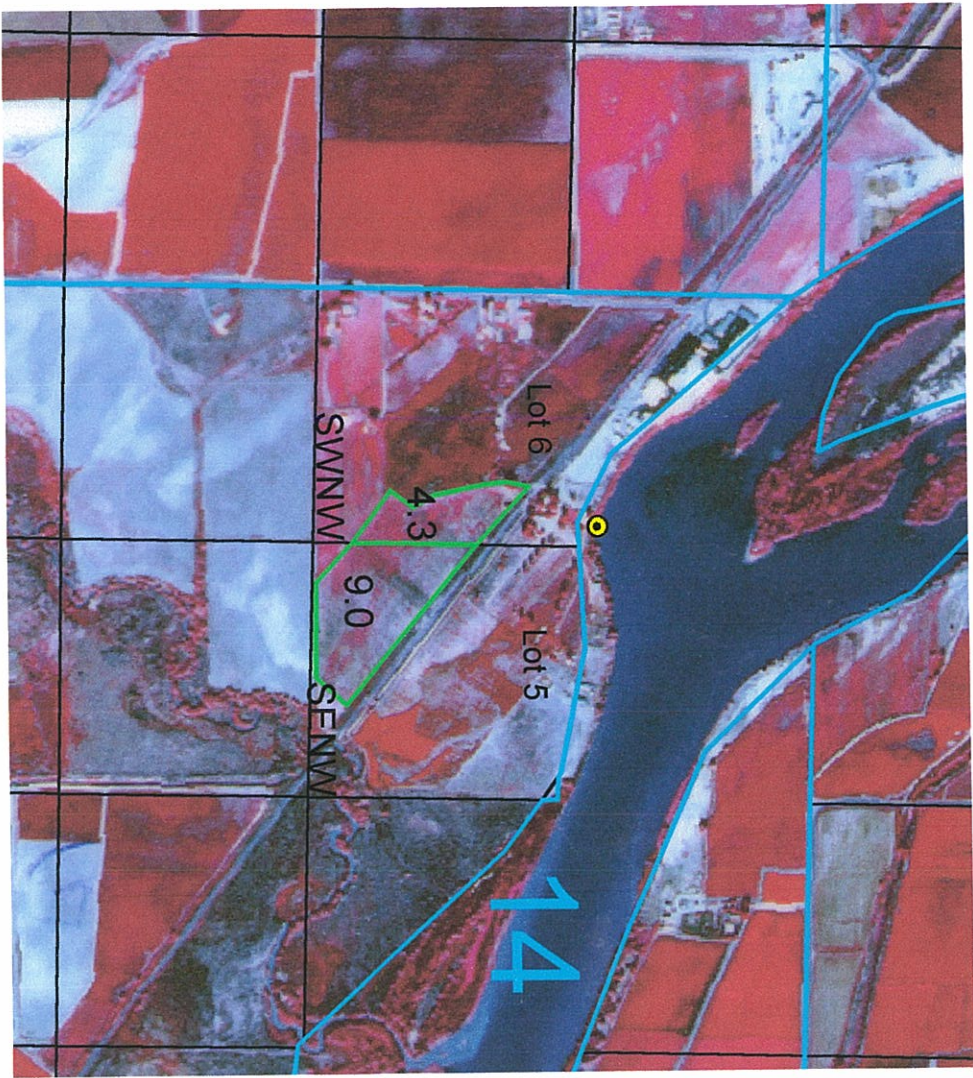


Idaho Department of Water Resources

Claim Number: 02-02318A
Legal: T03N, R05W, S14
Reviewed By:

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

1987 Napp Photo



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

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

CIVIL CASE NUMBER: 39576

Ident. Number 02-2318A
Date Received: 10/7/88
Receipt No: X777777
Received By:

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

1. Name of Claimant(s): WILLIAM R WILKERSON SR Phone: (208) 466-2175
2520 S POWERLINE RD
NAMPA ID USA 83686

IMOGENE E WILKERSON Phone: (208) 466-2175
2520 S POWERLINE RD
NAMPA ID USA 83686

2. Date of Priority: 06/05/1964

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	05W	14	NW NW	OWYHEE	

5. Description of diverting works:

2 PUMPS ON PLATFORM W/PIPELINE TO POU. LARGE PUMP PUTS WATER---

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.27	

7. Total Quantity Appropriated is:
0.27 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
03N	05W	14	SW NW	6	IRRIGATION	1.7
			SE NW	5	IRRIGATION	8.6
			NW NW	6	IRRIGATION	3
Section Acres						13.3
Total Acres						13.3

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 2/27/2001.

15. Basis of Claim: License

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

RECEIVED
OCT 13 1998
 WATER RESOURCES
 WESTERN REGION

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

1. Water Right or Adjudication Claim No(s): AO2-02318A
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 William E. Speltzman
PO-BOX 365 Mountain Home, ID 83647-0365
4. New Owner/Claimant(s) William R. or Imogene E. Wilkerson Sr.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 2520 S. Power Line Road
 City, State and ZIP Code Tampa, Idaho 83686
 New Telephone Number (208) 466-2175
5. Date you acquired the property April 15, 1998
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) William R. Wilkerson Sr.
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.

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

WRW

WARRANTY DEED

FOR VALUE RECEIVED WILLIAM F. SPELLMAN and CHARLENE W. SPELLMAN, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto W.R. WILKERSON,^{/SR.} A MARRIED MAN
the Grantee, whose address is 2520 SO POWERLINE RD, NAMPA, ID 83686

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

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 said premises are free from all encumbrances; except for general taxes and assessments for the year 1998 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 15, 1998


WILLIAM F. SPELLMAN

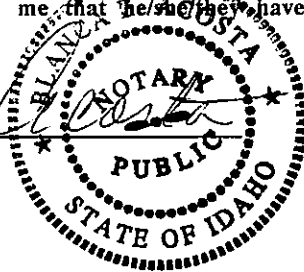

CHARLENE W. SPELLMAN

STATE OF IDAHO

COUNTY OF CANYON

On this 16 day of April, 1998, before me a notary public, personally appeared WILLIAM F. SPELLMAN AND CHARLENE W. SPELLMAN, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.


Notary Public
Residing at GREENLEAF, Idaho
My commission expires: 9-1-99



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PARCEL I

TOWNSHIP 3 NORTH, RANGE 5 WEST, B.M., OWYHEE COUNTY, IDAHO

Section 14: That portion of government Lots 5 and 6 lying Southwesterly of the right of way of the Union Pacific Railroad (formerly Oregon shortline Railroad) as described in Book 16 of Deeds at pages 333, 335, and 365, Owyhee County records.

EXCEPTING THEREFROM:

BEGINNING at the quarter corner of Sections 14 and 15, Township 3 North, Range 5 West, B. M., being also the southwest corner of Government Lot 6 of said section 14; thence North along the Westerly boundary of said Lot 6 to its intersection with the Southwesterly right of way of the Union Pacific Railroad (formerly Oregon Shortline Railroad) as described in Book 16 of Deeds at pages 333, 335, and 365;

thence South 52°23'27" East, 1348.93 feet (formerly South 52°37'00" East, 1346.00 feet);

Thence leaving said right of way South 00°20' West, 104.00 feet; thence continuing South 0°08'

00" West (formerly South 0°20'00" West) 550.00 feet; thence South 52°24'00" East 630.52 feet to a point on the South line of Government Lot 5 of said section 14; thence North 89°48'00" West along the Southerly boundary of said Government Lots 5 and 6 to the POINT OF BEGINNING.

PARCEL II

A tract of land situated in Government Lot 6 Section 14, Township 3 North, Range 5 West, B. M., Owyhee County, Idaho and more particularly described as follows:

COMMENCING at the SW corner of NW1/4 (W 1/4 cor.); thence N 0°00'14" E, 934.00 feet; thence S 89°29'00" E, 981.00 feet to the POINT OF BEGINNING; thence continuing S 89°29'00" E, 87.00 feet; thence N 0°20'00" E, 104.00 feet to a point on the southwesterly right of way of the Union Pacific Railroad; thence N 52°23'27" W, 69.00 feet along said southwesterly right of way; thence leaving said right of way S 12°46'20" W, 149.01 feet to the POINT OF BEGINNING.

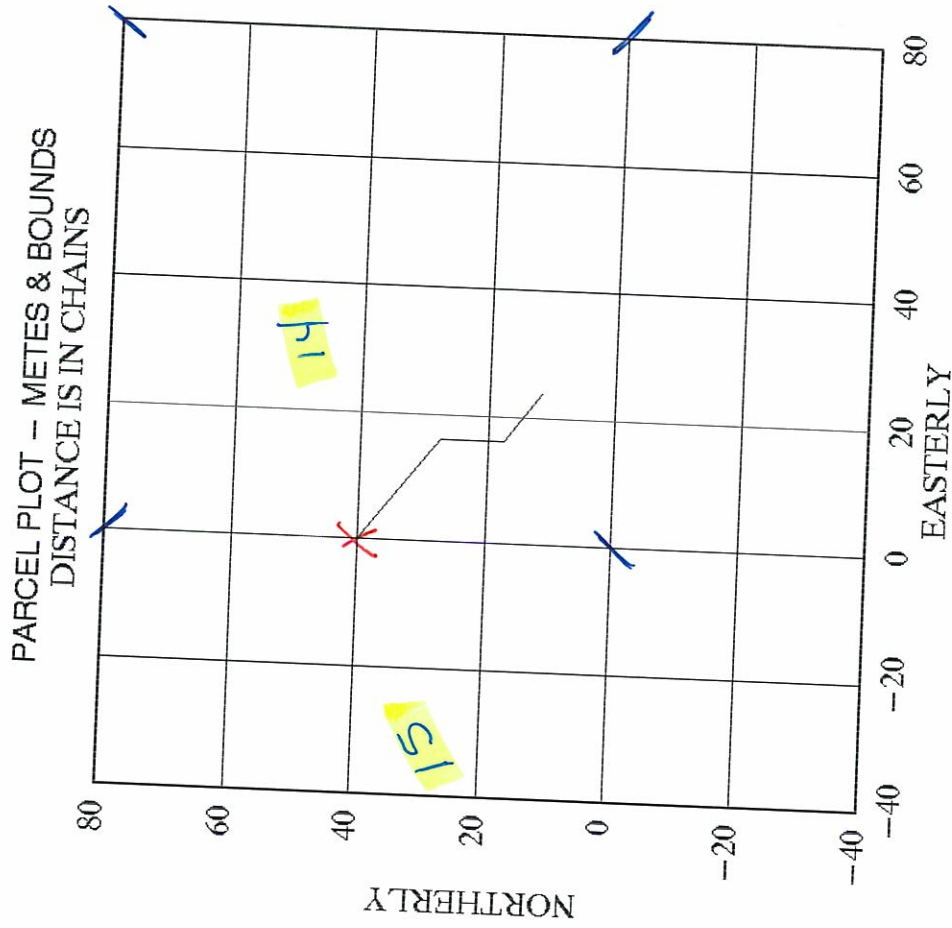
PARCEL III

A parcel of land situate in Lot 6 (SW1/4 NW1/4) and Lot 5 (SE1/4 NW1/4), Section 14, Township 3 North, Range 5 West, B. M., Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the SW corner of said SW1/4 NW1/4; thence South 89°48'00" East along the South boundary of said SW1/4 NW1/4, a distance of 625.00 feet to the TRUE POINT OF BEGINNING; thence North along a line parallel with the Western boundary of said SW1/4 NW1/4, a distance of 348.48 feet; thence South 89°48'00" East along a line parallel with said South boundary, a distance of 481.43 feet; thence South 52°24'00" East, a distance of 573.74 feet to a point on the said South boundary; thence North 89°48'00" West along said South boundary, a distance of 936.00 feet to the TRUE POINT OF BEGINNING.

WJD
CWA

Parcel 1



3N
5W

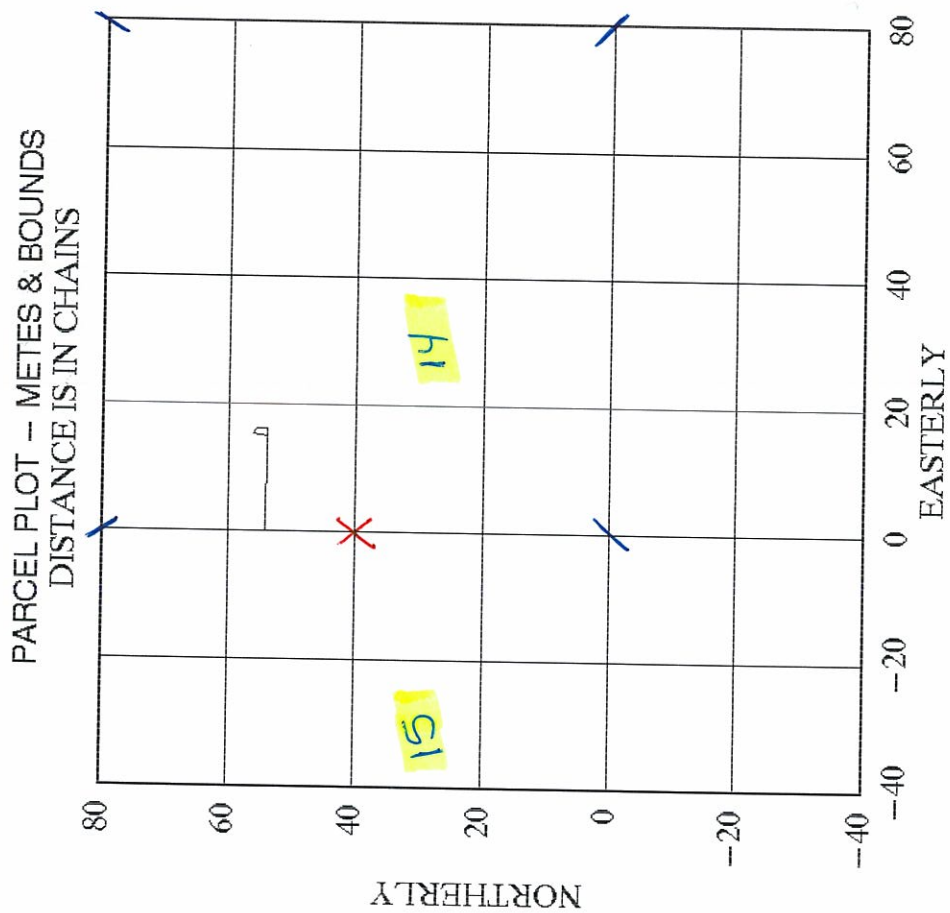
X = beginning point

Incomplete: beginning of property desc. goes along
Railroad + Gov't lot lines.

METES AND BOUNDS TABLE ***PRESS ALT P TO PRINT GRAPH***

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	0.00	40.00					
(SEE SHEET)	16.19	27.53	52.00	23.00	27.00	SE	1348.93
	16.18	25.95	0.00	20.00	0.00	SW	104.00
	16.16	17.62	0.00	8.00	0.00	SW	550.00
	23.73	11.79	52.00	24.00	0.00	SE	630.52
-QUAD COEF-	23.73	11.79	89.00	48.00	0.00	NW	
IF NE, X=1, Y=1	23.73	11.79					

Parcel 2



3N
5W

X = beginning point

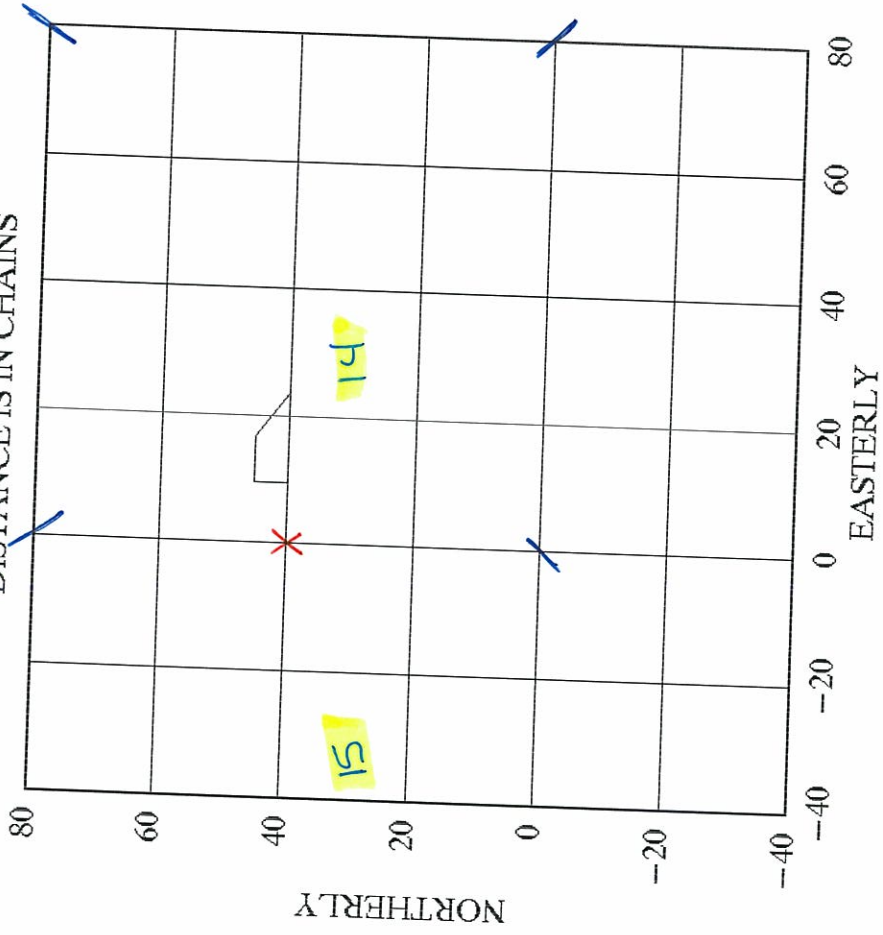
METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR. (SEE SHEET)	0.00	40.00					
	0.00	54.15	0.00	0.00	14.00	NE	934.00
	14.86	54.02	89.00	29.00	0.00	SE	981.00
	16.18	54.01	89.00	29.00	0.00	SE	87.00
	16.19	55.58	0.00	20.00	0.00	NE	104.00
-QUAD COEF-	15.36	56.22	52.00	23.00	27.00	NW	69.00
IF NE. X=1,Y=1	14.86	54.02	12.00	46.00	20.00	SW	149.01
IF SE. X=1,Y=-1	14.86	54.02					

Parcel 3

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



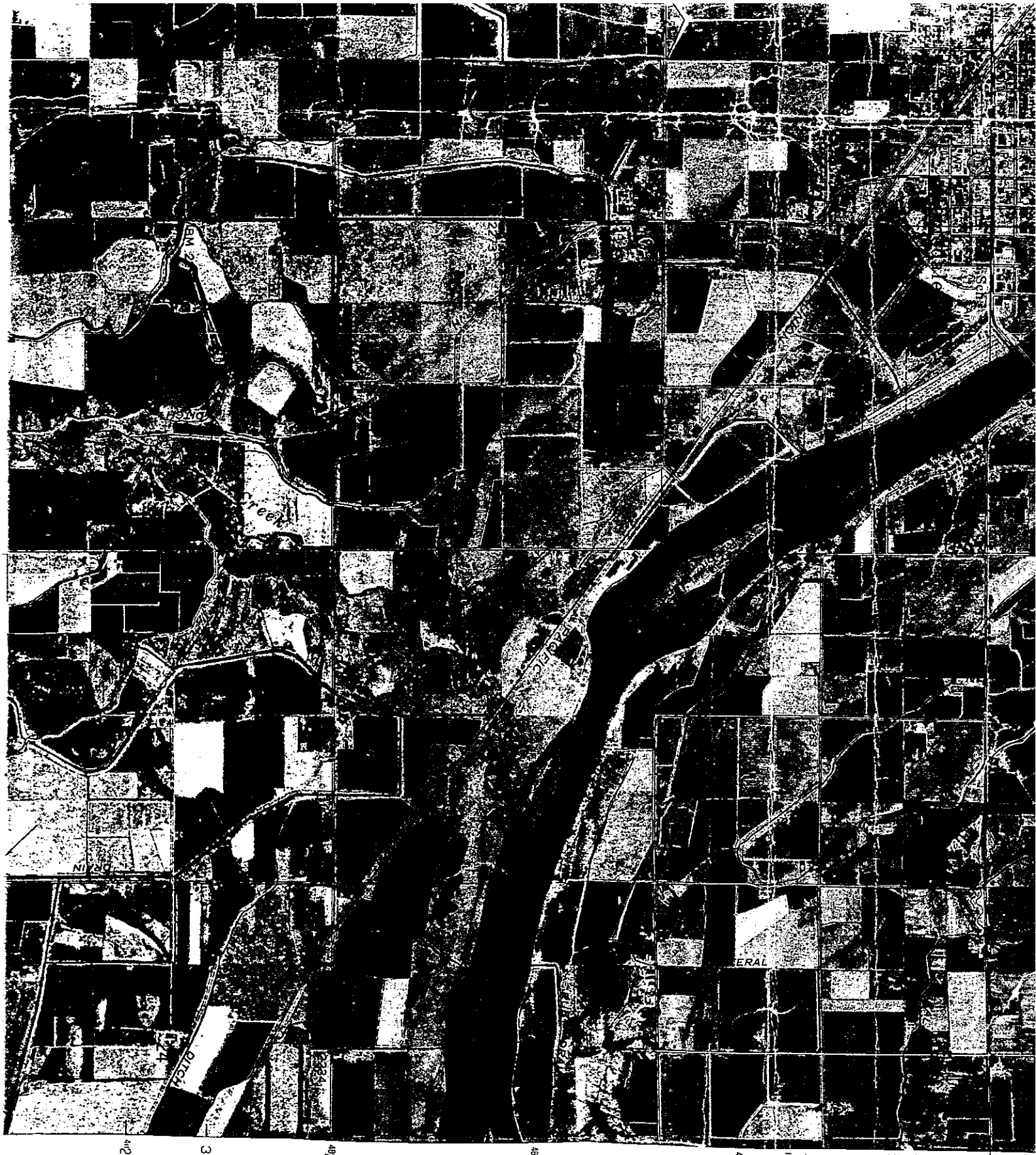
3N
5W

X = beginning point

METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	0.00	40.00					
(SEE SHEET)	9.47	39.97	89.00	48.00	0.00	SE	625.00
	9.47	45.25	0.00	0.00	0.00	NE	348.48
	16.76	45.22	89.00	48.00	0.00	SE	481.43
	23.65	39.92	52.00	24.00	0.00	SE	573.74
-QUAD COEF-	9.47	39.97	89.00	48.00	0.00	NW	936.00
IF NE, X=1,Y=1	9.47	39.97					
IF SE, X=1,Y=-1	9.47	39.97					



4925

35

4926

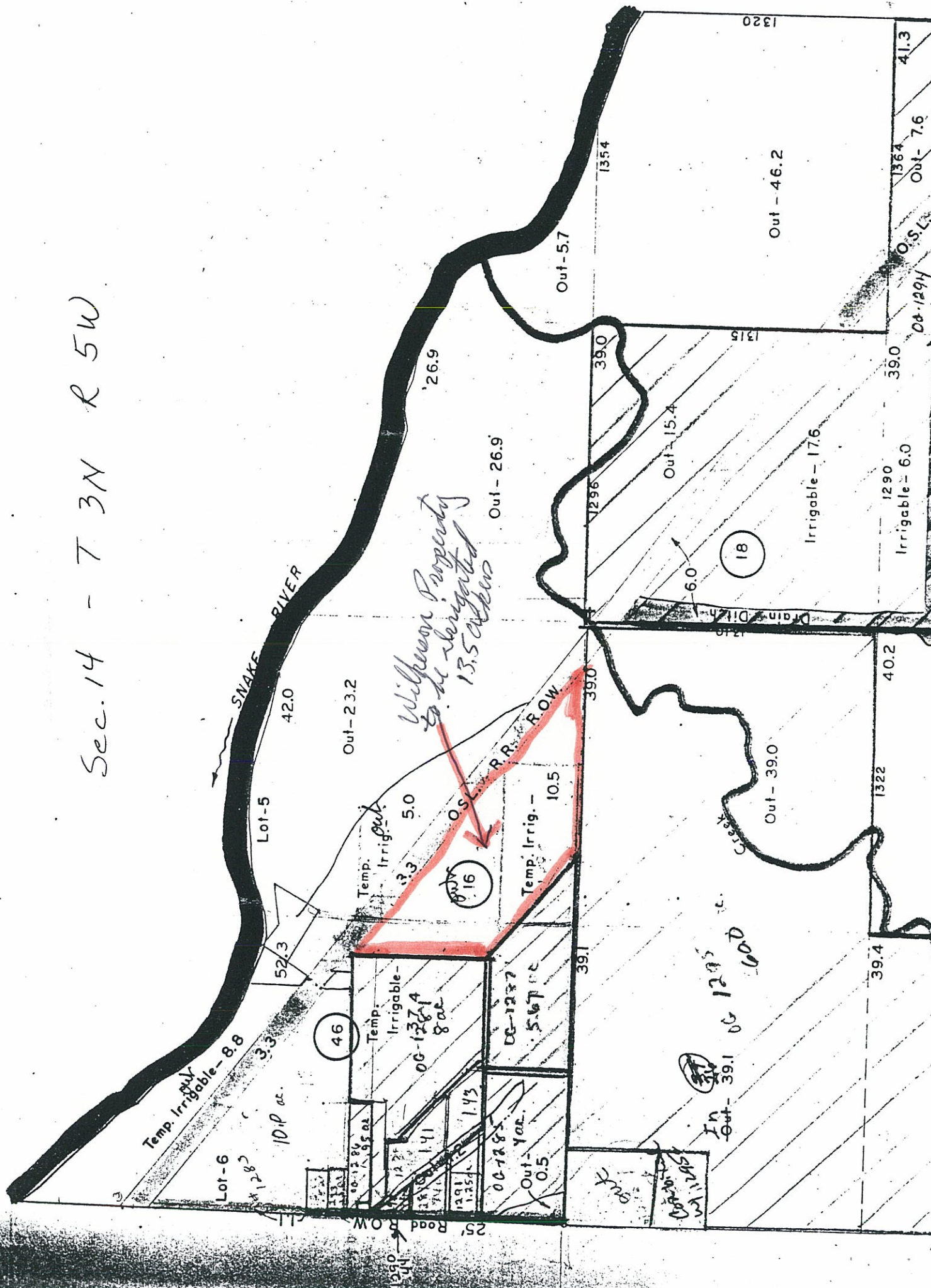
4927

4928

710 000
FEET

HU. STON 5.2 MI.
CAL. WELLS 3.3 MI.

Sec. 14 - T 3N R 5W



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: **A02-02318A**

Date Received: 10/ 7/1988

Receipt No: X777777

Received By: _____

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

1. Name: WILLIAM F SPELLMAN 602-967-0309
Address: 1112 W 17TH STREET
TEMPE AZ 85281

2. Date of Priority: JUN 5, 1964

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	05W	14	NW	NW	NW		OWYHEE

5. Description of diverting works:

2 PUMPS ON PLATFORM W/PIPELINE TO POU. LARGE PUMP PUTS WATER---

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.270		

7. Total Quantity Appropriated is:

0.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	05W	14	NW	NW	6	IRR	3.0
			SW	NW	6	IRR	1.7
			SE	NW	5	IRR	8.6

MICROFILMED

AUG 16 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	13.3
					Total Acres	13.3

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

---TO DITCH FOR IRRIGATION AND A SMALL PUMP SUPPLIES WATER TO
SPRINKLER SYSTEM. WATER RUNS BACK TO JUMP CREEK AND EVENTUALLY
BACK TO SNAKE RIVER.
*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/31/92.
OWNERSHIP CHANGED BY LH 5/25/94.

15. Basis of Claim: LICENSE

Water Right Number: 31931

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

MICROFILMED
AUG 16 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 16 1994

WARRANTY DEED

COPY

FOR VALUE RECEIVED,
LOREN R. WITTROCK and PAMELA R. WITTROCK, husband and wife,

the Grantors, do hereby grant, bargain, sell and convey unto
WILLIAM F. SPELLMAN and CHARLENE W. SPELLMAN, husband and
wife,

the Grantees, whose current address is 1112 W. 17th St.
Tempe, AZ 85281

the following described real property, located in Owyhee
County, Idaho, to-wit:

EXHIBIT "A", Parcels I, II and III, attached hereto:

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee
simple of said premises; that said premises are free from
all encumbrances except: None.

Subject to such rights, easements, covenants, restrictions
and zoning regulations as appear of record or by use upon
the premises.

Taxes and assessments of all taxing units not yet due and
payable.

Reservations in patents or state grants or in acts
authorizing the issuance thereof.

MICROFILMED

AUG 16 1994

FILED-RECORDED

94 MAR 8 AM 9 14

BARBARA JAYO

OWYHEE COUNTY RECORDER

BY *E. Shohm*

DEPUTY

REQUEST OF

William F. Spellman

FEE 12.00

INDEXED

MICROFILMED

212229

All repayment contracts between any irrigation district within which the premises are situated and any government or agency.

The bonded debt of all taxing units within which said premises are located.

Restrictions imposed by law, ordinance, or regulation imposed by any governmental entity, department or agency.

Restrictions contained in any covenants of record affecting the premises.

All rights of way or easements affecting the premises regardless of how evidenced or acquired and whether the same appear of record or not.

DATED: March 7, 1994

Loren R. Wittrock
Loren R. Wittrock

Pamela R. Wittrock
Pamela R. Wittrock

STATE OF IDAHO, COUNTY OF OWYHEE, ss.

On this day of March, 1994, before me, a Notary Public, in and for the State, personally appeared LOREN R. WITTROCK and PAMELA R. WITTROCK, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



Nicholas K. J. J.
Notary Public for Idaho
Residing at *Murphy* Idaho
Commission Expires: *1/31/2000*

MICROFILMED
AUG 16 1994

Sh. M. 6

Exhibit "A" Land Description:

PARCEL I

IN TOWNSHIP 3 NORTH, RANGE 5 WEST, B. M., OWYHEE COUNTY, IDAHO

Section 14: That portion of Government Lots 5 and 6 lying Southwesterly of the right of way of the Union Pacific Railroad (formerly Oregon Shortline Railroad) as described in Book 16 of Deeds pages 333, 335 and 365, Owyhee County records.

EXCEPTING THEREFROM:

BEGINNING at the quarter corner of Sections 14 and 15, Township 3 North, Range 5 West, B. M., being also the Southwest corner of Government Lot 6 of said section 14; thence North along the Westerly boundary of said Lot 6 to its intersection with the Southwesterly right of way of the Union Pacific Railroad (formerly Oregon Shortline Railroad) as described in Book 16 of Deeds, pages 333, 335 and 365; thence South $52^{\circ}23'27''$ East, 1348.93 feet (formerly South $52^{\circ}37'00''$ East, 1346.00 feet); thence leaving said right of way South $00^{\circ}20'$ West, 104.00 feet; thence continuing South $0^{\circ}08'00''$ West (formerly South $0^{\circ}20'00''$ West) 550.00 feet; thence South $52^{\circ}24'00''$ East 630.52 feet to a point on the South line of Government Lot 5 of said Section 14; thence North $89^{\circ}48'00''$ West along the Southerly boundary of said Government Lots 5 and 6 to the POINT OF BEGINNING.

PARCEL II

A tract of land situate in Government Lot 6, Section 14, Township 3 North, Range 5 West, B. M., Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the SW corner of the NW $\frac{1}{4}$ (W $\frac{1}{4}$ cor.); thence North $0^{\circ}00'14''$ East 934.00 feet; thence South $89^{\circ}29'00''$ East, 981.00 feet to the REAL POINT OF BEGINNING; thence continuing South $89^{\circ}29'00''$ East, 87.00 feet; thence North $0^{\circ}20'00''$ East, 104.00 feet to a point on the southwesterly right of way of the Union Pacific Railroad; thence North $52^{\circ}23'27''$ West, 69.00 feet along said southwesterly right of way; thence leaving said right of way South $12^{\circ}46'20''$ West, 149.01 feet to the TRUE POINT OF BEGINNING.

MICROFILMED

AUG 16 1994

PARCEL III

A parcel of land situate in Lot 6 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) and Lot 5 (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 14, Township 3 North, Range 5 West, B. M., Owyhee County, Idaho, more particularly described as follows:

COMMENCING at the SW corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence South 89°48'00" East along the South boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 625.00 feet to the TRUE POINT OF BEGINNING; thence North along a line parallel with the Western boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, a distance of 348.48 feet; thence South 89°48'00" East along a line parallel with said South boundary, a distance of 481.43 feet; thence South 52°24'00" East, a distance of 573.74 feet to a point on the said South boundary; thence North 89°48'00" West along said South boundary, a distance of 936.00 feet to the TRUE POINT OF BEGINNING.

MICROFILMED

AUG 16 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A02-02318A**
Date Received: 10/ 7/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LOREN WITTROCK 208-337-4858
Address: PO BOX 2123
HOMEDALE ID 83628
OR
Name: PAMELA WITTROCK 208-337-4858
Address: PO BOX 2123
HOMEDALE ID 83628

2. Date of Priority: JUN 5, 1964

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	14	NW	NW			OWYHEE

5. Description of diverting works:

2 PUMPS ON PLATFORM W/PIPELINE TO POU. LARGE PUMP PUTS WATER---

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.270		

7. Total Quantity Appropriated is:

0.270 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	14	NW	NW	6	IRR	3.0

MICROFILMED
AUG 16 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	14	SW	NW	6	IRR	1.7
			SE	NW	5	IRR	8.6

Section Acres 13.3

Total Acres 13.3

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:
---TO DITCH FOR IRRIGATION AND A SMALL PUMP SUPPLIES WATER TO
SPRINKLER SYSTEM. WATER RUNS BACK TO JUMP CREEK AND EVENTUALLY
BACK TO SNAKE RIVER.
*CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 1/31/92.

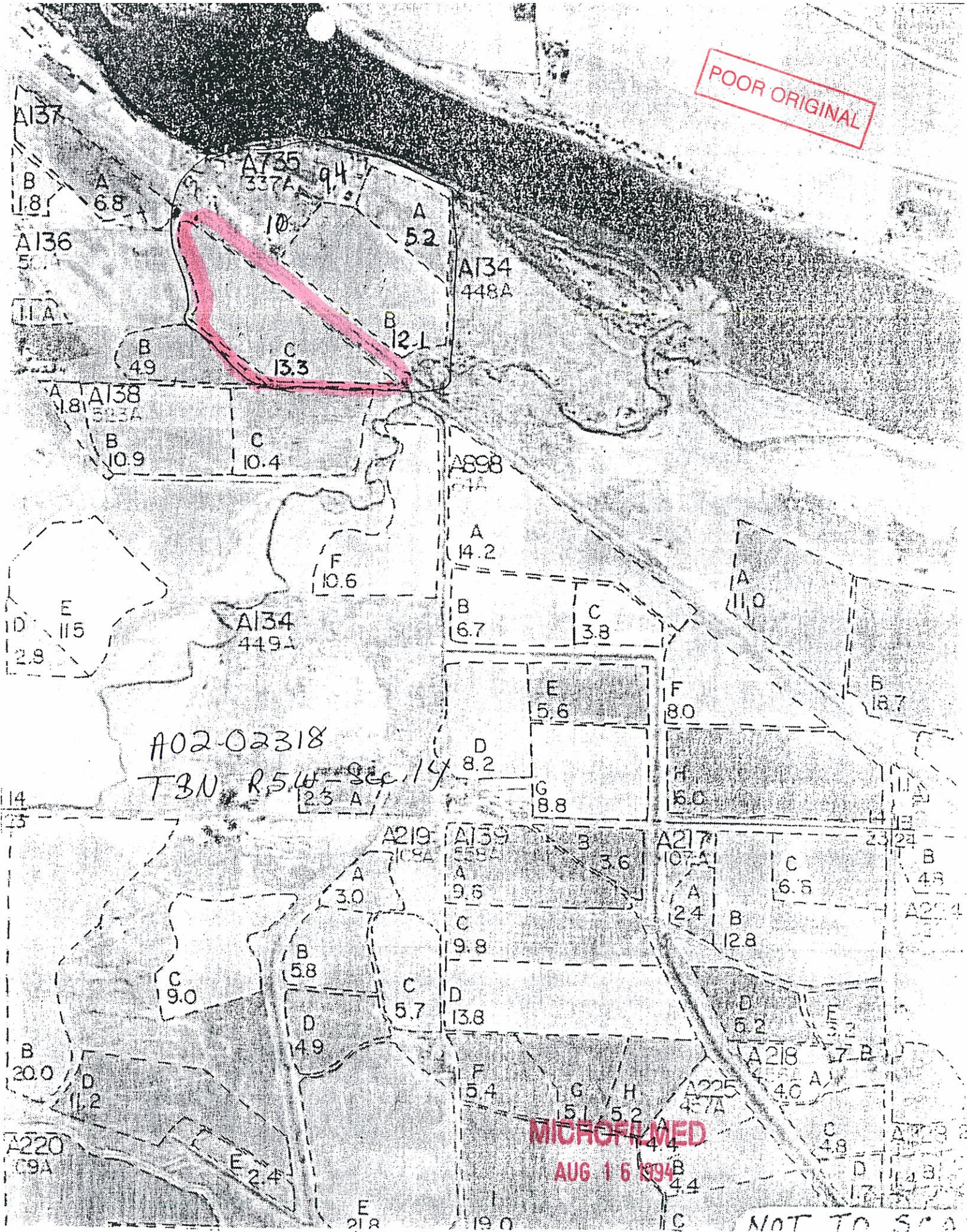
15. Basis of Claim: LICENSE

Water Right Number: 31931

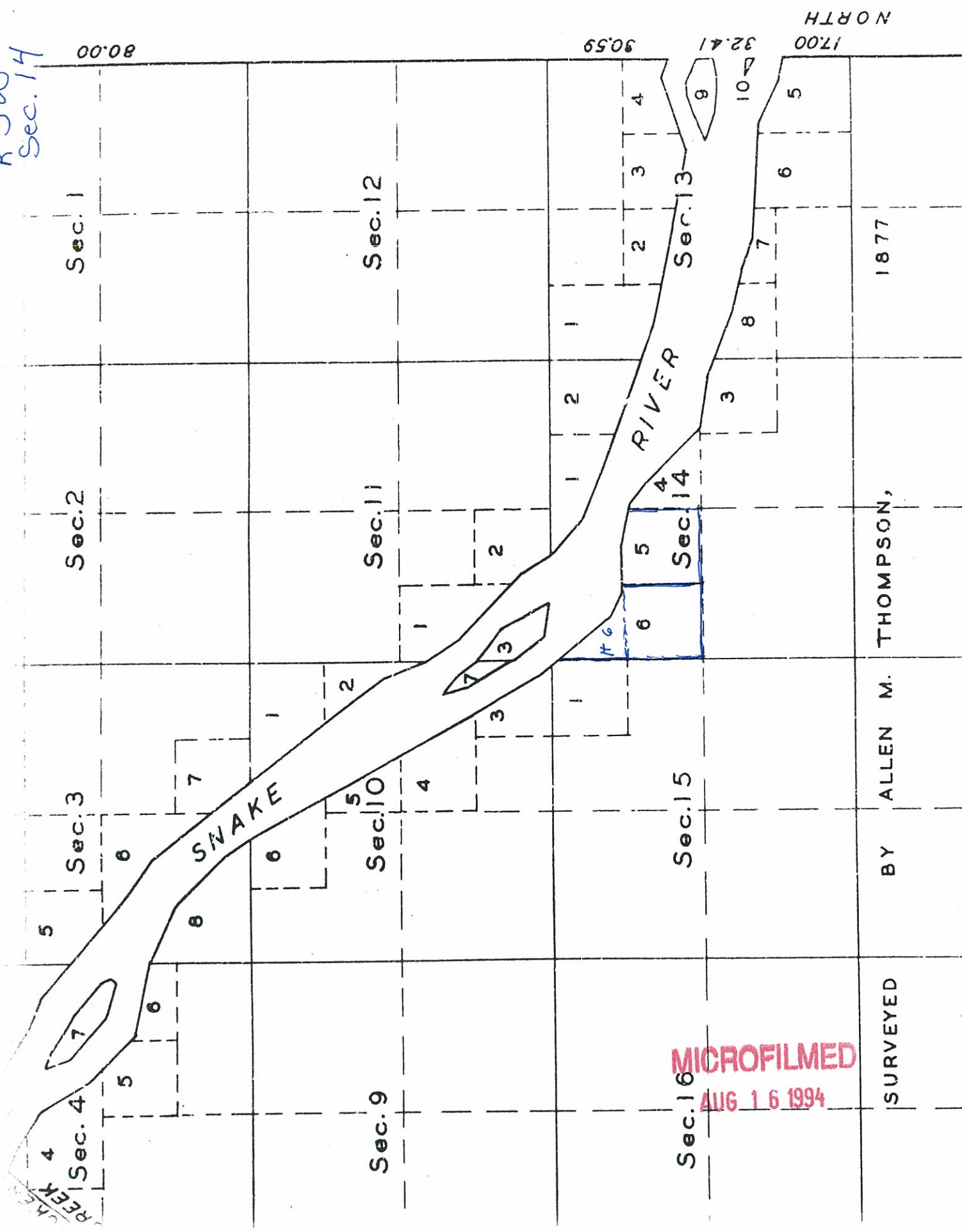
MICROFILMED

AUG 16 1994

POOR ORIGINAL



T 3N
R 5W
Sec. 14



T. 3
RETR
OF T
VEY
PROV
THE
CORD
EVID
ORIG
BETW
CN T

NORTH

80.00 30.59 32.41 1700

1877

THOMPSON,

ALLEN M.

BY

SURVEYED

MICROFILMED
AUG 16 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02318
Date Received: 10/07/1988
Receipt No: W001069
Received By: *rk*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS D. LARZELIER 208-337-4700
Address: PO BOX 323
HOMEDALE, ID 83628
OR
Name: MARY JO LARZELIAR 208-337-4700
Address: PO BOX 323
HOMEDALE, ID 83628
OR
Name: PEGGY J. JACKSON 208-337-4444
Address: PO BOX 245
HOMEDALE, ID 83628

2. Date of Priority: JUN 05, 1964

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	14	NW	NW			OWYHEE

5. Description of diverting works:
2 PUMPS ON PLATFORM W/PIPELINE TO POU. LARGE PUMP PUTS WATER---

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		250.00

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) 250.00 A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A02-02318

Page 1

Date: 01/19/90

MICROFILMED
AUG 16 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	05W	14	NW	NW	IRR	3.0
			SW	NW	IRR	38.0
			SE	NW	IRR	9.0
					Section Acres	50.0
					Total Acres	50.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
NONE

14. Remarks:

---TO DITCH FOR IRRIGATION AND A SMALL PUMP SUPPLIES WATER TO SPRINKLER SYSTEM. WATER RUNS BACK TO JUMP CREEK AND EVENTUALLY BACK TO SNAKE RIVER.

MEMO TO FILE

PEGGY JACKSON CAME TO WESTERN REGION THIS DATE (1/19/90) TO CHECK IF THIS CLAIM HAD BEEN NOTARIZED. THERE WAS NOT A COPY OF THIS CLAIM IN THE FILE! ADJUDICATION BASE DID INDICATE; HOWEVER, THAT THIS CLAIM HAD BEEN FILED AND THE FEE PAID. COPY OF RECEIPT ENCLOSED. THIS CLAIM WAS ORIGINALLY FILED UNDER THE NAME OF DOUGLAS & MARY JO LARZELIAR. PEGGY JACKSON FILED FOR THEM AND I BELIEVE THAT THIS CLAIM HAD TO BE TAKEN BACK TO THEM FOR THEIR SIGNATURE AND NOTARY. SOMETHING HAPPENED TO THE CLAIM BETWEEN THEN AND NOW.

15. Basis of Claim: LICENSE
Water Right Number: 31931

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): *Don J. Jackson* Date: 1-19-90

Date: _____

State of Idaho)
County of Ada) SS.

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

of Jan. 19 90

Linda Werner
Notary Public

Seal

Residing at _____ Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAY 06 1994

Department of Water Resources

DATE OF CLOSING: 3/7/94

LEGAL DESCRIPTION OF PROPERTY: Township 3 North Range 5 West, B. M.

Section 14, SW 1/4 NW 1/4 of 1/4 of SE 1/4 NW 1/4, Govt. Lot 5 & 6, B.M.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

MAY 09 1994

WATER RESOURCES
WESTERN REGION

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) A02-02318A
Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): Loren R. Wittrock
P. O. Box 2123, Homedale, ID 83628

☐ New Owner/Claimant (Purchaser): William F. Spellman

☐ New Mailing Address: 1112 W 17th Street, Tempe, AZ 85281

☐ New Telephone Number: (602) 967-0309

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) William F. Spellman Date 3/7/94
William F. Spellman Date _____

☐ Signature of Former Owner/Claimant(s) Loren R. Wittrock Date 3/7/94
Loren R. Wittrock Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-25-94 By: JD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5-25-94 By: JD

Claim Numbers of Split, if any:

MICROFILMED

AUG 16 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: July 16, 1991

LEGAL DESCRIPTION OF PROPERTY: Township 3 North Range 5 West
Section 14, 1/4 of 1/4 of 1/4 Govt. Lot 5+6, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A-02-02318

☐ Name and Address of Former Owner/Claimant(s)(Seller): DOUGLAS D. LARZELIER

☐ New Owner/Claimant (Purchaser): LOREN WITTROCK & PAMELA WITTROCK

☐ New Mailing Address: P.O. Box 2123
HOME DALE, ID 83628

☐ New Telephone Number: (208) 337 - 4858

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

SEE ATTACHED MAP -

PURCHASER TO RECEIVE 13.3 ACRES OF WATER

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Loren Wittrock Date 7/16/91

☐ Signature of Former Owner/Claimant(s): Douglas D. Larzelier Date 7/18/91
Lo Mary Jo Larzelier Date 7/17/91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

AUG 16 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 25, 1994

Re: Notice of Claim to a Water Right No. A02-02318A

William F. Spellman
1112 W. 17th Street
Tempe, AZ 85281

Mr. Spellman:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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

Sincerely,

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

LH:1

MICROFILMED
AUG 16 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date January 31, 1992

[Loren or Pamela Wittrock
PO Box 2123
Homedale, ID 83628]

Notice of Claim No.(s) A02-02318A

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED
AUG 16 1994

CONVERSATION MEMORANDUM

DATE 1-27-92FILE A02-2318NAME OF PARTY Loren WittrockEMPLOYEE Linda WarnerRE: Split resulting from ownership change.

He called in response to my letter of 12-12-91 to say he doesn't know how many acres are over per $\frac{1}{4}$ $\frac{1}{4}$. We're supposed to get the info. from Stan Smith at the title co. So I called Stan & he's supposed to call me back.

1-28-92 Stan called me back. Said he would look into it & let me know tomorrow.

1-30-92 Stan returned call w/ the following info:

Acreage =	4.7	lot 6
	13.3	lot 5

The total acreage according to the ownership change is 13.3 so I will use the difference between 13.3 & 4.7 for the number of acreage in lot 5.

* Flag for a field exam.

MICROFILMED

AUG 16 1994

December 12, 1991

Loren or Pamela Wittrock
PO Box 2123
Homedale, ID 83628

Dear Mr. or Mrs. Wittrock;

This office has received the change in ownership request for the Notice of Claim to a Water Right numbered A02-02318. This is on the property previously owned by James and Peggy Jackson.

The request indicates that this is a split of the water right with 13.3 acres receiving water. Before I can make this split I need more information from you. Lots 5 and 6 are comprised of land located in the NW1/4NW1/4, SW1/4NW1/4 and SE1/4NW1/4 of section 14. I need to know how many acres are appurtenant to each quarter, quarter and who owns which portion.

Does Mr. Larzelier still own any portion of this land? The request you submitted indicates the former owner is Mr. Larzelier; however, the warranty deed shows the Jacksons as grantors.

I am enclosing a copy of the claim along with a map with the quarter, quarter sections outlined. Please indicate how many acres are appurtenant to each quarter, quarter and which party retains ownership for the acreages indicated.

Please return the requested information to my attention by December 30 so I can proceed with your ownership change. If you have any questions, feel free to contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

MICROFILMED

AUG 16 1994

WARRANTY DEED

For Value Received

JAMES C. JACKSON, SR. and PEGGY J. JACKSON, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

LOREN WITTROCK and PAMELA WITTROCK, husband and wife

the grantees , whose current address is, P. O. Box 2123, Homedale, ID 83628
the following described premises, to-wit:

As more particularly described on Exhibit "A" attached hereto and
made a part thereof:

Subject to exceptions and reservations contained in patents from
the United States.

Subject to taxes and assessments for the year 1992.

Subject to all easements, restrictions and reservations of record
and of use.

205488
FILED-RECORDED
JUL 19 3 57 PM '91
BY *E. Shickman*
REQUEST OF
07.C
FEE 6.00
INDEXED
MICROFILMED

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee s, that the y are the owners in fee simple of said premises; that said
premises are free from all incumbrances except taxes and assessments for the year 1992
and subsequent years. (HSA)

and that the y will warrant and defend the same from all lawful claims whatsoever.
Dated:

James C. Jackson, Sr.
James C. Jackson, Sr.

Peggy J. Jackson
Peggy J. Jackson

STATE OF IDAHO, COUNTY OF Owyhee

On this 16th day of July , 1991 ,
before me, a notary public in and for said State, personally
appeared James C. Jackson, Sr.
Peggy J. Jackson

known to me to be the persons whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Stanley D. Smith

Residing at Boise
Comm. Expires July 10, 1993

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____
Fees \$ _____
Mail to: _____

MICROFILMED
AUG 16 1994

INSTRUMENT No.

EXHIBIT A

PARCEL I

TOWNSHIP 3 NORTH, RANGE 5 WEST, B.M., OWYHEE COUNTY, IDAHO
Section 14: That portion of Government Lots 5 and 6 lying
Southwesterly of the right of way of the
Union Pacific Railroad (formerly Oregon
Shortline Railroad) as described in Book 16
of Deeds at pages 333, 335, and 365, Owyhee
County records

EXCEPTING THEREFROM:

BEGINNING at the quarter corner of Sections 14 and 15,
Township 3 North, Range 5 West, B.M., being also the Southwest
corner of Government Lot 6 of said section 14; thence North along
the Westerly boundary of said Lot 6 to its intersection with the
Southwesterly right of way of the Union Pacific Railroad
(formerly Oregon Shortline Railroad) as described in Book 16 of
Deeds at pages 333, 335, and 365;
thence South 52°23'27" East, 1348.93 feet (formerly South
52°37'00" East, 1346.00 feet); thence leaving said right of way
South 00°20' West, 104.00 feet; thence continuing South 0°08'00"
West (formerly South 0°20'00" West) 550.00 feet; thence South
52°24'00" East 630.52 feet to a point on the South line of
Government Lot 5 of said section 14; thence North 89°48'00" West
along the Southerly boundary of said Government Lots 5 and 6 to
the POINT OF BEGINNING.

PARCEL II

A tract of land situated in Government Lot 6 Section 14,
Township 3 North, Range 5 West, B. M., Owyhee County, Idaho and
more particularly described as follows:
COMMENCING at the SW corner NW $\frac{1}{4}$ (W $\frac{1}{4}$ cor.); thence N 0°00'14" E,
934.00 feet; thence S 89°29'00" E, 981.00 feet to the POINT OF
BEGINNING: thence continuing S 89°29'00" E, 87.00 feet; thence
N 0°20'00" E, 104.00 feet to a point on the southwesterly right
of way of the Union Pacific Railroad; thence N 52°23'27" W, 69.00
feet along said southwesterly right of way; thence leaving said
right of way S 12°46'20" W, 149.01 feet to the POINT OF
BEGINNING.

MICROFILMED

AUG 16 1994