

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 63-32448
Date Received: 7/7/2005
Receipt No: X777777
Received By:

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

1. Name of Claimant(s)

IAN BYRNES Phone: (208)442-6487
9770 FARNER RD
NAMPA ID USA 83686

2. Date of Priority: 04/13/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	15	NW NW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.016	7.96

7. Total Quantity Appropriated is:
0.016 C.F.S. and/or 7.96 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	03W	15	NW NW	IRRIGATION	2
Section Acres					2
Total Acres					2

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:

14. Remarks:

FAILURE TO COMPLY WITH THE CONDITIONS OF THE ADMINISTRATIVE ORDER IS CAUSE FOR IDWR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP FOR A PORTION OF CLAIM NO. A63-03597J, FEE PAID UNDER NO. N003518.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5270 IN FILE.

CLAIM AMENDED PER TRANSFER NO. 5270 APPROVED 11/12/1998.

THIS CLAIM IS A RESULT OF SPLITTING A63-03597J PER APPROVED TRANSFER 5270. 12/31/1998. SB.

THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

This right is a split from former right 63-32138.

15. Basis of Claim: License

63-32138
VAN BERKEL
35 ACRES
.276 CFS
139.29 AFA

$$.276 \div 35 = .008 \times 33 = 0.264 \text{ CFS}$$
$$.008 \times 2 = .016 \text{ CFS}$$

$$139.29 \div 35 = 3.98 \times 33 = 131.33 \text{ AFA}$$
$$3.98 \times 2 = 7.96 \text{ AFA}$$



63-32447
VANBERKEL
33 ACRES
.264 CFS
131.33 AFA

63-32448
BYRNES
2 ACRES
.016 CFS
7.96 AFA

RECEIVED

AUG 22 2006

WATER RESOURCES
WESTERN REGION

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

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-359711		✓			
63-32138					

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)

Arnold J VANBerke1

4. New Owner/Claimant(s)

IAN BYRNES

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

New Mailing Address

9770 FARNER Rd.

City, State and ZIP Code

NAMPA, ID 83686

New Telephone Number

(208) 442-6487

5. Date you acquired the property

5/5/2006

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 <u>63-3597M</u>		
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	<u>0.300 CFS</u>	<u>2 ACRES, PASTURE</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>2 ACRES</u>	

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) 
(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 8/22/00 Fee 
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

PL 60-4469

200634520



Pioneer Title Co.

GOING BEYOND

5680 East Franklin Road, Suite 250 / Nampa, Idaho 83687 / (208) 465-6655

WARRANTY DEED

For Value Received Arnold J. VanBerkel and Candyce VanBerkel, husband and wife
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Ian Byrnes, an unmarried man

hereinafter referred to as Grantee, whose current address
is 9770 Farner Road, Nampa, ID 83686

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND 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 Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 3, 2006

Arnold J. VanBerkel

Candyce VanBerkel

State of California

County of Tulare

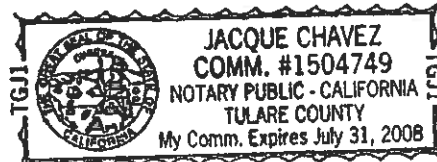
ss.

On this 4th day of May, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Arnold J. VanBerkel and Candyce VanBerkel known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)

Notary Public
Residing at: Visalia, California
Commission Expires: 7-31-08



2007 MAY 5 PM 4 43

RECORDED
CANYON CITY RECORDER
BY Pell

RECORDED
REQUEST
Type Deed Fee 6-

EXHIBIT A

A parcel of land located in the Northwest Quarter of the Northwest Quarter of Section 15, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho more particularly described as follows:

COMMENCING at a 5/8 inch iron pin marking the North 1/16 corner of said Section 15; thence along the West boundary line of said Section 15

North 00° 05' 08" East 600.00 feet to a 5/8 inch iron pin; thence leaving said West boundary line

North 89° 30' 10" East 370.00 feet to the REAL POINT OF BEGINNING; thence

North 89° 30' 10" East 172.00 feet to a 5/8 inch iron pin; thence

South 00° 05' 08" West 600.00 feet to a 5/8 inch iron pin on the South boundary line of the Northwest Quarter of the Northwest Quarter of said Section 15; thence along said South boundary line

South 89° 30' 10" West 172.00 feet; thence leaving said South boundary line

North 00° 05' 08" East 600.00 feet to the REAL POINT OF BEGINNING.

LEWIS LANE

R30124014

579.00'

170'

R30124014A
T 995.30

600.00'

X
Exhibit
price?

600

579.00'

1/16

R30124017

INST. # 200307256

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 63-32138
Date Received: 7/7/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Arnold J. Van Berkel Phone: (208)938-3061

C/O DAVID RUSSEL
1268 S WATER MARK AVE
EAGLE ID USA 83616

2. Date of Priority: 04/13/1967

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	03W	15	NW NW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.276	134.29

7. Total Quantity Appropriated is:
0.276 C.F.S. and/or 134.29 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	03W	15	NW	NW	IRRIGATION	35
					Section Acres	35
					Total Acres	35

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:

14. Remarks:

FAILURE TO COMPLY WITH THE CONDITIONS OF THE ADMINISTRATIVE ORDER IS CAUSE FOR IDWR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP FOR A PORTION OF CLAIM NO. A63-03597J, FEE PAID UNDER NO. N003518.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5270 IN FILE.

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This right is a split from former right 63-3597m.

15. Basis of Claim: License

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

RECEIVED

MAR 07 2005

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
~~63-3597H~~	63-3597M	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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 LEATH
- 9770 FARNER RD Nampa, ID 83686
4. New Owner/Claimant(s) ARNOLD JUAN BERKEC % DAVID L RUSSELL
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1268 S WATERMARK AVE
- City, State and ZIP Code EAGLE, IDAHO 83616
- New Telephone Number (208) 938-3061
5. Date you acquired the property 9/15/04

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	<u>.276 CFS</u>	<u>38 Acres</u>

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	<u>.024 CFS</u>	<u>3 Acres</u>

7. Signature of New Owner(s) or Claimant(s) Armed J. Van Bepel
(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

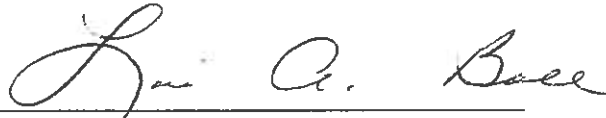
Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

- (a) Default occurred in the obligations for which such Deed of Trust was given as security and the Beneficiary made demand upon the said Trustee to sell property pursuant to the terms and said Deed of Trust. Notice of Default was recorded 5/7/2004 as Instrument No. 200424530, records of Canyon County, Idaho and in the office of the Recorder of each other county in which the property described in said Deed of Trust, or any part thereof, is situated, the nature of such default being as set forth in said Notice of Default. Such default still existed at the time of sale.
- (b) After recordation of said Notice of Default, Trustee gave notice of the time and place of the sale of said property by registered or certified mail, by personal service upon the occupants of said real property, by posting in a conspicuous place on said premises and by publishing in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to the date of sale as Instrument No. 200434215, Instrument No. 200434217, and as Instrument No 200434216, records of Canyon County, Idaho.
- (c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as though set forth herein at length.
- (d) All requirements of law regarding the mailing, personal service, posting publication and recording of the notice of default, and notice of sale and for all other notices have been complied with.
- (e) Not fewer than 120 days elapsed between the giving of notice of sale by registered or certified mail and the sale of said property.
- (f) Trustee, at the time and place of sale fixed by said notice, at public auction, in one parcel, struck off to Grantee, being the highest bidder thereof, the property herein described for the sum of \$49,813.62, subject

however to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporation name to be hereunto subscribed by its Assistant Secretary.

PIONEER LENDER TRUSTEE SERVICES, LLC

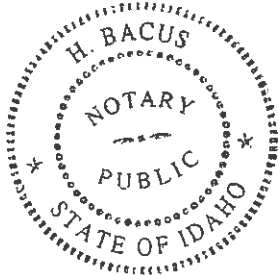


LORI A. BALL, ASSISTANT SECRETARY

ACKNOWLEDGEMENT- CORPORATE

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

On this 15th day of September, in the year 2004, before me, the undersigned, a Notary Public in and for the said state, personally appeared Lori A. Ball known to me to be the Assistant Secretary of the corporation, and acknowledged to me that such corporation executed the same. In witness whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT: BOISE
EXPIRATION DATE: 8-30-2008

EXHIBIT "A"

L.L.P.
F.M.D.
W.L.

The Northwest Quarter of the Northwest Quarter of Section 15,
Township 2 North, Range 3 West of the Boise Meridian, Canyon
County, Idaho.

EXCEPTING THEREFROM

The South 600 feet of the West 370 feet of the Northwest Quarter of
the Northwest Quarter of Section 15, Township 2 North, Range 3 West
of the Boise Meridian, Canyon County, Idaho.

200142741

RECORDED

2001 JUN 17 PM 11 07

C. NOT. PUBLICS

CANYON COUNTY RECORDER

BY

[Signature]

REQUEST BIONEER-NAMPA
TYPE *[Signature]*

MODE:F ACTION:

3R30124014 0

03 TAX INQUIRY as of 08/13/2004 8:35 TRQK701

02N03. 03001

F90 32517484

F90

055-00 * * CHECK FOR DELINQUENCIES * *

LEACH, LAWRENCE L

& LEACH, KITTY M

Original Tax

205.26

9770 FARNER RD

NAMPA

ID 83686

Adjusted Amount

205.26

15-2N-3W NW

NW NW LS TX 99530

+++++

102.63 + 102.63

+++++

9770 FARNER RD, NA

Outstanding Tax

.00

Bill Number 2003058105

FCV / QTY

13,900 / 34.90

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3597H

WATER RIGHT NUMBER: 63-3597H

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KITTY M LEACH 9770 FARNER RD NAMPA, ID 83686 (208)467-9791
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Current Owner	LAWRANCE L LEACH 9770 FARNER RD NAMPA, ID 83686 (208)467-9791

Priority Date: 04/13/1967

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.300 CFS	145.80 AF
	<u>Total Diversion:</u>	0.300 CFS	145.80 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 15, Twp 02N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	03W	15																	38.0
																		38.0	

Total Acres: 38

Conditions of Approval:

1. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3597H

4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:Comments:

1. SCURTIS 11/1/1995 TRANSFER 4639

Comment: Trans. #4639 was filed to add a point of diversion under a portion of Right 63-03597C, splitting it into parts E & F.

2. PSKAGGS 11/10/1998 TRANSFER 5270

Comment: Transfer 5270 changes the point of diversion under a portion of Right 63-03597E, splitting the right into Parts G & H.

Dates and Other Information:

Licensed Date: 9/12/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

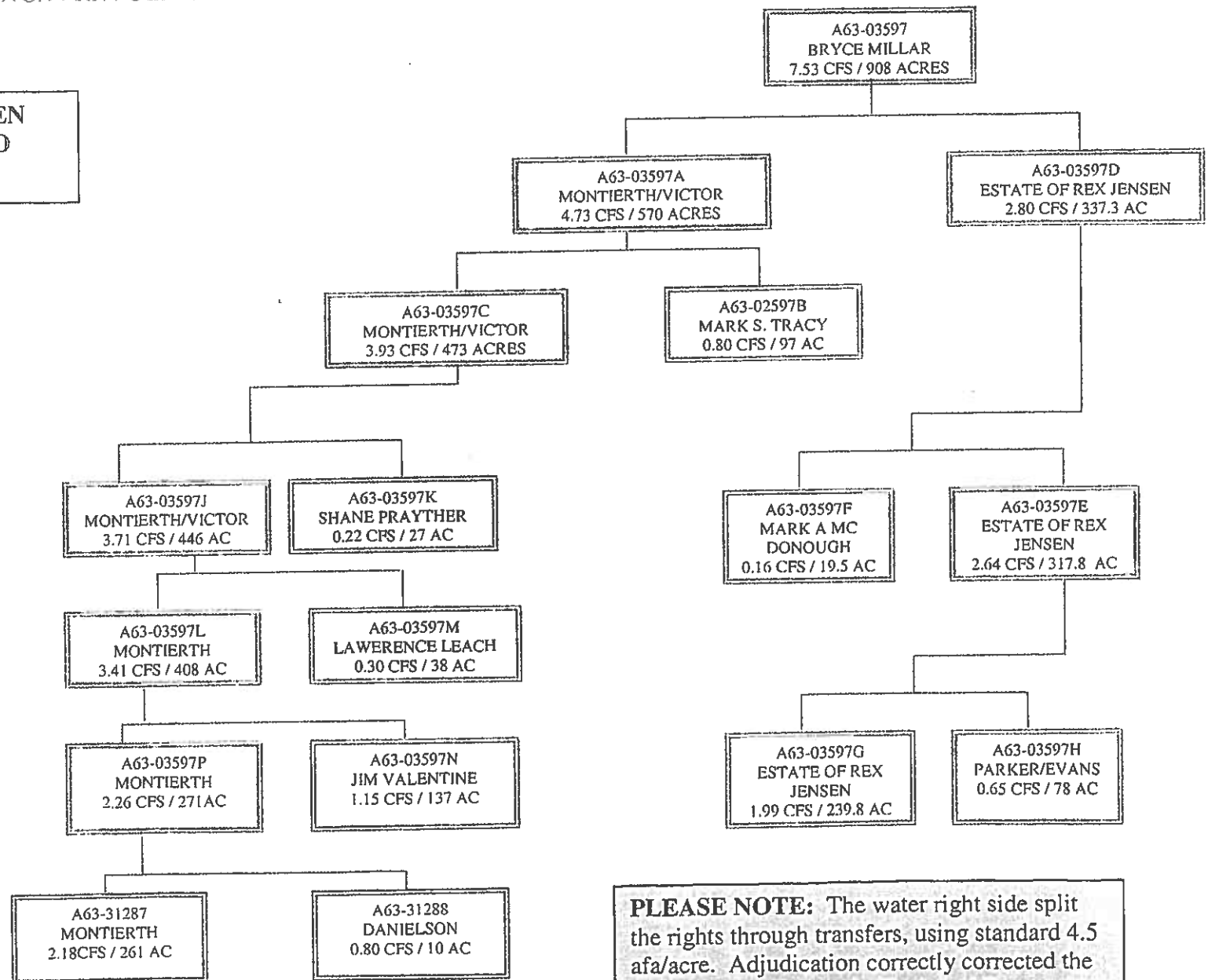
[illegible]

The West 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 15, Township 3 North, Range 1 West, Creek Township, Adams Co. West. QUAD 100E 30N.



ADJUDICATION CLAIMS SPLIT TREE FOR REX E. JENSEN ESTATE TRANSFER # 68832

RIGHTS HAVE BEEN
SPLIT AND ARE NO
LONGER ACTIVE



PLEASE NOTE: The water right side split the rights through transfers, using standard 4.5 afa/acre. Adjudication correctly corrected the volume per split based off original licenses.

March 17, 2005

Arnold J Van Berkel
c/o David L. Russel
1268 S Watermark Ave.
Eagle, ID 83616

RE: Notice of Change of Water Right Ownership Claim No. 63-3759H

Dear Property Owners:

This office has reviewed the Notice of Change of Water Right Ownership you have submitted (copy enclosed), however, we are unable to complete this ownership change at this time. The Warranty deed submitted indicates a transfer of property in the NW¼ NW¼ of Section 15, Township 2 North, Range 3 West. The above referenced water right is for property with a Place of Use located in the NE¼ SE¼ and the NE¼ SW¼ of Section 11, Township 2 North, Range 3 West. It appears that the information submitted does not pertain to the water right number referenced above.

You had also listed water right number 63-3597M; and it is being processed at this time. A copy of 63-3597M will be mailed upon completion.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosures

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A63-03597M**
Date Received: 12/28/1989
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: LAWRANCE L LEACH 208-467-9791
Address: 770 FARNER RD
NAMPA ID 83686
OR
Name: KITTY M LEACH 208-467-9791
Address: 770 FARNER RD
NAMPA ID 83686

2. Date of Priority: APR 13, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	15	NW	NW			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		145.80

7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) 145.80 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
02N	03W	15	NW	NW		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	38.0
					Total Acres	38.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE OF OWNERSHIP FOR A PORTION OF CLAIM NO. A63-03597J, FEE PAID UNDER NO. N003518.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5270 IN FILE.
CLAIM AMENDED PER TRANSFER NO. 5270 APPROVED 11/12/1998.
THIS CLAIM IS A RESULT OF SPLITTING A63-03597J PER APPROVED TRANSFER 5270. 12/31/1998. SB.

15. Basis of Claim: LICENSE

Water Right Number: 33559

Western

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5270
WATER RIGHT NO. 63-03597H

RECEIVED

NOV 13 1998

WATER RESOURCES
WESTERN REGION

This is to certify that: **LAWRANCE L LEACH**
KITTY M LEACH
9770 FARNER RD
NAMPA ID 83686

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.30 CFS	145.8 AF

SOURCE

GROUNDWATER

Priority: 04/13/1967

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 15, Township 02N, Range 03W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 03W 15	NWNW 38			38

Total number of acres irrigated: 38

CONDITIONS OF APPROVAL AND REMARKS

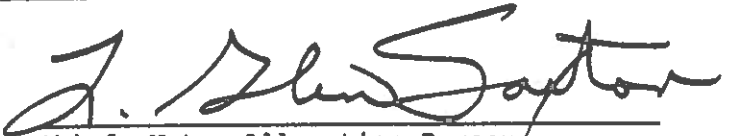
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

TRANSFER NO. 5270
WATER RIGHT NO. 63-03597H

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 12th day of November, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 63-03597E

FROM: Pam Skaggs/*PS* State Office

SUBJECT: Transfer 5270

DATE: November 12, 1998

Transfer 5270 changes the point of diversion under a portion of Right 63-03597E, splitting the right into Parts G and H. The applicant has purchased a quarter quarter of land under this right and proposes to drill a separate well for his use.

Recommended conditions include drilling permit requirements, irrigation overlap, future measuring devices & annual reporting, and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT

Leach

TRANSFER NO.

5270

INITIAL ALLOCATION REVIEW BY

6

DATE

5/7/98

SRBA SUPERVISOR REVIEW BY

9

DATE

5/15/98

REC'D 5/13/98

1. Right number(s)

163-03597E

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☐ Change P/D ☒ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing
Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Reviewer's analysis memo completed (always include)
- b. ☒ All of right
- c. ☒ Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant)
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right - Comments: _____

- j. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____
- k. ☒ SRBA claim(s) - Comments (**NOTE!** Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) filed as licensed except with
less AFA
- l. ☒ Comment letters _____ Yes ☒ No
If yes _____ Water District #
_____ Other, see #2 below for name
_____ and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ✓ Yes
2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters: See attached information

3. Transfer published correctly? ✓ Yes No
4. Affidavit of publication received? ✓ Yes No
5. Protests received? Yes No; Acknowledgement sent? Yes
6. Data entry of application completed? ✓ Yes

RECOMMENDED ACTION

1. ☒ Approve ☐ See attached memo
2. ☐ Deny due to _____
3. Conditions (special conditions in Water Districts) _____
Standard transfer conditions
4. By Gang Date 7/15/98

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? Yes *Sam*
2. File forwarded to S.O.: by date

MEMO

DATE: 5/8/1998
FROM: Lori Graves
TO: Transfer File
RE: Leach Transfer 63-03597E

This is a simple transfer in which the applicant purchased a portion of a ground water license and wants to irrigate his acres with a separate system and well.

No other water rights are used. The SRBA claim was filed as licensed except for less volume and with J as the suffix.

I recommend this transfer be approved.

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT,
TRANSFER NO. 5270**

Notice is given that **LAWRANCE AND KITTY LEACH** of 9770 Farmer Rd, Nampa ID 83696 have applied to the Department of Water Resources to add a Point of Diversion pursuant to I.C. § 42-222 for the following ground water irrigation license in T2N R3W, Canyon County:

63-03597E, priority 4/13/1967, 3.71 cfs, diverted in SENW S10, NWSW S11, SESW S14, used in S10 and S15, 446 acres total.

PROPOSED CHANGE

Separate well to supply ground water to applicant's portion of license. No increase in licensed acres or flow rate proposed.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before JUNE 22, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
June 4, 11, 1998

7165

RECEIVED

JUN 22 1998

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5270

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant LAWRENCE L. & KITTIE M. LEACH H & W Phone 208-467-9791

Post Office address 9776 FARNER ROAD NAMPA IDAHO 83406

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Purchased 40 acres (NW NW S.15, 2N 3W)
Need own well to use water under water R.t.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-3597E</u>	<u>4-13-67</u>	<u>.30</u>	<u>Irrig</u>	<u>3-15</u> to <u>11-15</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 30 cubic feet per second and/or _____ acre-feet per annum

3. Source of water Groundwater tributary to NA

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

3 of 6

WR0749HP
No. 63-03597E

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/20/
PAGE:

OWNER		PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
CODE	NAME & ADDRESS	DATE		FROM	TO	RATE	VOLUME
C	BRYCE MILLAR	04/13/1967	IRRIGATION	03/15	11/15	3.710 CFS	1802.90 AF
TOTAL DIVERSION:						3.710 CFS	1802.90 AF

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T02H R03W S10	SENW	CANYON County
	S11	NWSW	CANYON County
	S14	SESW	CANYON County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE				SUM	
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac		
02N	03W	10	:	16	:		:	30	29	39	39	:	21	40	39	37	290.0
02N	03W	15	:		:	39	38	39	40	:		:					156.0
TOTAL ACRES																	446.0

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-03589 63-03597D 63-071568 63-07778A 63-11773

Other Water Rights Listing Overlapping Place(s) of use:
63-03597B 63-03597F 63-11773 63-12007 63-12214

Dates:	App. Received:	Priority Date:	04/13/1967
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/12/1979	

Misc:	Water District Number:	Field Exam fee:
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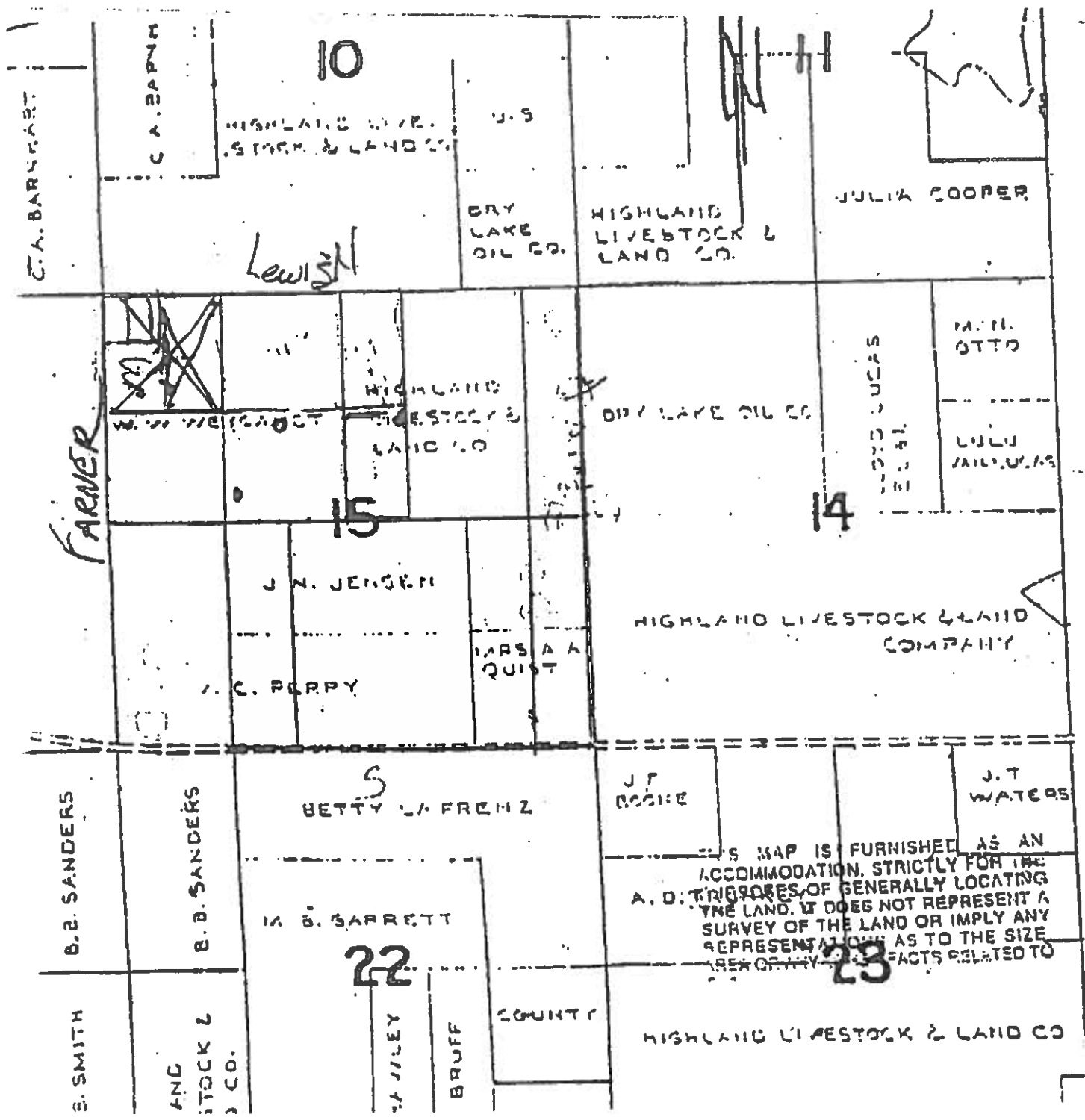
Comments: Date: 11/01/1995 User-ID: SCURTIS Subject: TRANSFER NO. 4639
Trans. #4639 was filed to add a point of diversion under a
portion of Right 63-03597C, splitting it into parts E & F.

Audit:	06/13/95 LGRAVES	09/28/95 PSKAGGS	11/01/95 SCURTIS	11/01/95 SCURTIS
	11/01/95 PSKAGGS			

5 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights describe in part 1. Clearly depict the land by section, township and range number.



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: **A63-03597J**
Date Received: 12/28/1989
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name:	HR MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	GOLDA D MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	EDWARD MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	SUSAN L MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	WILFORD NOLAN VICTOR	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	RODNEY KENT MONTIERTH	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	RUBY C VICTOR	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	ROBERT J MEYERS	208-733-5217
Address:	1528 ADDISON AVENUE EAST TWIN FALLS ID 83301	
Name:	KATHI L MEYERS	208-733-5217

Address: 1528 ADDISON AVENUE EAST
TWIN FALLS ID 83301

2. Date of Priority: APR 13, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	10		SE	NW		CANYON
		11		NW	SW		CANYON
		14		SE	SW		CANYON

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.710		1795.10

7. Total Quantity Appropriated is:
3.710 C.F.S. (and/or) 1795.10 A.F.A.

8. Total consumptive use is 1578.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	10		SW		IRR	16.0
				NE		IRR	30.0
				NW		IRR	29.0
				SW		IRR	39.0
				SE		IRR	39.0
				NE		IRR	21.0
				NW		IRR	40.0
				SW		IRR	39.0
				SE		IRR	37.0
						Section Acres	290.0
		15		NE		IRR	39.0
				NW		IRR	38.0
				SW		IRR	39.0
				SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	156.0
					Total Acres	446.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A RESULT OF SPLITTING A63-03597C PER APPROVED
TRANSFER 4639. MTS 12/22/1995
THIS CLAIM COINCIDES WITH WATER RIGHT 63-03597E
FEE PAID UNDER RECEIPT NO N003518
THE DIVERSION WORKS INCLUDE 3 WELLS WITH DEEP TURBINE PUMP. THE
WATER IS DISCHARGED INTO PIPELINE SYSTEM FOR SPRINKLER IRRIGATION.

15. Basis of Claim: LICENSE

Water Right Number: 33559

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 22, 2008

Hon. John Melanson
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

RE: Subcase No. 63-32448 (Byrnes)

Dear Judge Melanson:

The Idaho Department of Water Resources ("IDWR") filed the Director's Report for Basin 63, Part 3 with the SRBA Court on December 19, 2006. Since that filing, IDWR has discovered a clerical error in the recommendation for this water right. Specifically, the quantity element of the water right was reported incorrectly. Accordingly, attached hereto is the revised recommendation showing the proposed corrections in underline/strikeout format. To date, this subcase is uncontested.

I am also sending a copy of this correspondence to the claimant to alert him of this issue.

If you should have any questions, please feel free to contact me at 287-4810.

Sincerely,

A handwritten signature in cursive script that reads "Andrea L. Courtney".

Andrea L. Courtney
Deputy Attorney General, IDWR

Enclosure

cc: Ian Byrnes

Amended Director's Report
Right No. 63-32448

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

RIGHT NUMBER: 63-32448

NAME AND ADDRESS: IAN BYRNES
9770 FARNER RD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.016 CFS
7.670 AFY ~~7.96~~

PRIORITY DATE: 04/13/1967

POINT OF DIVERSION:

T02N R03W S15 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.016 CFS
		<u>7.67 AFY</u> ~~7.96~~

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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T02N R03W S15 NWNW 2.00

2 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

This right is a split from former right 63-32138 .



Idaho Department of Water Resources

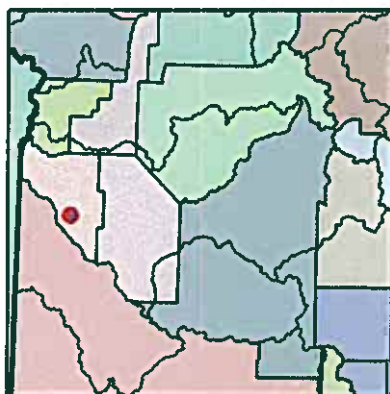
SRBA Recommendation:

63-32448

(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles

A scale bar showing distances of 0, 0.1, and 0.2 miles.

Prepared by S. Egbert
On Tuesday, September 19, 2006
1987/88 Aerial Photography

Idaho Department of Water Resources

63-32138

T02N R03W S15



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



400 0 400 800 1200 1600 Feet

IDWR

Prepared by: Sandy Egbert

Date: March 7, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32138

02/22/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
32137	Claim	02N	03W	15	NW	NW		IRRIGATION	3/3	LAWRANCE L LEACH
32138	Claim	02N	03W	15	NW	NW		IRRIGATION	35/35	ARNOLD J VAN BERKEL
1597H	Water Right	02N	03W	15	NW	NW		IRRIGATION	38/38	KITTY M LEACH

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33559/63-3597 Priority April 13, 1967 Amount 7.53 cfs

THIS IS TO CERTIFY, that BRYCE MILLAR
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 33559/63-3597 issued pursuant to Application for Permit dated April 13, 1967
and has submitted proof to the Department of Water Administration on January 20, 1972
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 7.53 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 7.53 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 7.53 cfs of water be diverted at
any one time, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11;
and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14; Twp. 2 N, Rge. 3 W, B.M.
in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 3,614 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

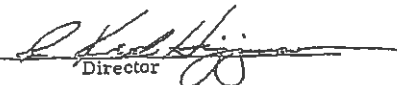
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
2 N	3 W	10			36	7			37	40	40	39	39	39	21	40	39	37	414
		11							36	26	40	40	39	39		40	39	39	338
		15					39	38	39	40									156

Total number of acres irrigated 908

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of

January, 19 73.


Director

63 3597

APPLICATION FOR AMENDMENT

RECEIVED

Permit No. 63-3597

Comes now BRYCE MILLAR of (address) _____

Route #7, Box 7380, Nampa, Idaho, and represents to the State Reclamation
Department of Water Administration

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-3597, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SW 1/4, Sec. 11, T. 2 N
 R. 3 W, B.M. Other points of diversion SE 1/4 NW 1/4, Sec. 10, T. 2 N., R. 3 W., B.M.;
SE 1/4 SW 1/4, Sec. 14, T. 2 N., R. 3 W., B.M.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (cfs or acre-feet per annum)

Amount for purpose from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)

3. Place of use or land to be irrigated:

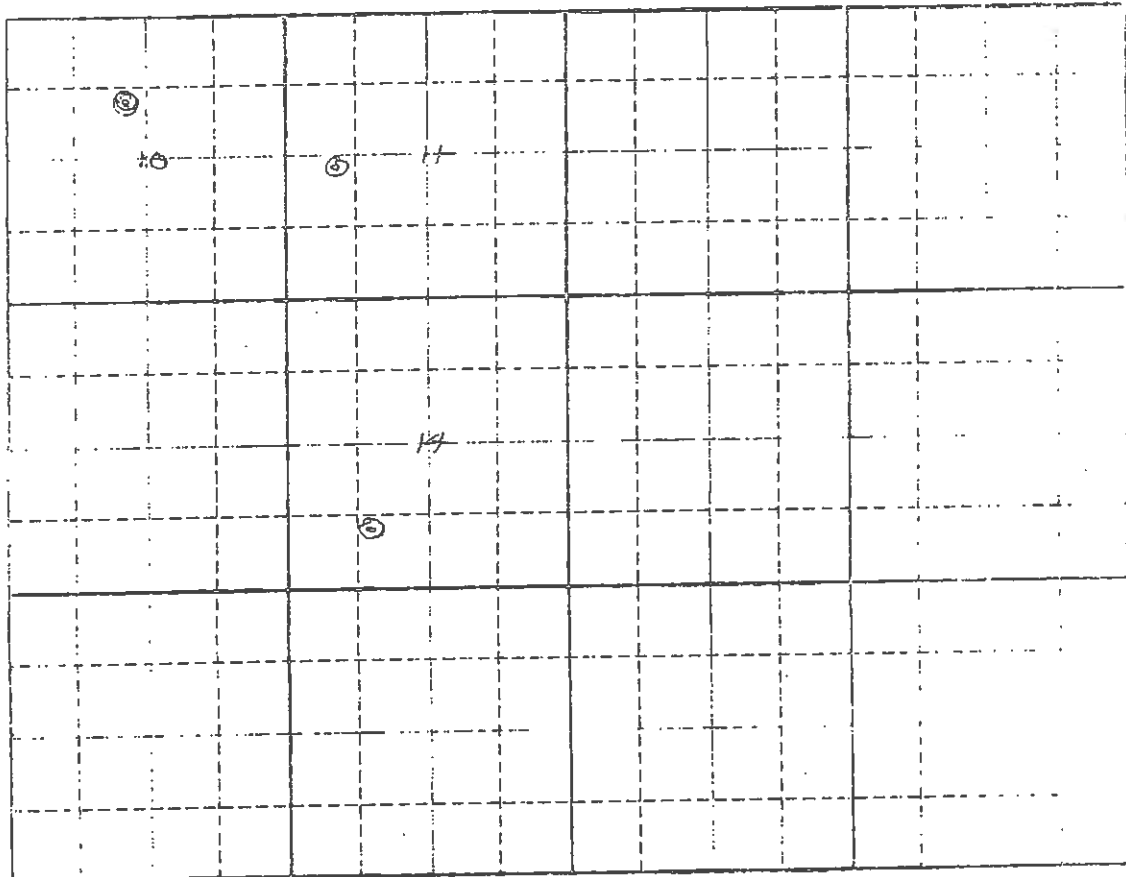
[illegible]

Total number of acres to be irrigated

63 3597

3 3597

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at Nampa, Idaho, this 15 day of Sept, 1972
Bryce Miller
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGENSON, Director of the Department of Water Administration
hereby approve the above application for amendment for Permit No. 33559/63-3597.

Witness my hand this 12 day of January, 19 73

R. Keith Higgenson
Director

BUREAU OF WATER ADMINISTRATION FIELD REPORT

1. Name of permit holder BRYCE MILLAR
 Post office address Route #7 Box #7360 Nampa, Idaho Phone _____
 Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 19.72 c.f.s. for irrigation
 _____ AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 63-3597
 Examination for Beneficial Use

4. Total amount to be appropriated:

Max Rate of Diversion 19.72 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 2 N N/S, Range 3 W E/W, B.M., Section 11, Subdivision SE 1/4 NW 1/4 Canyon
 County

Township 2 N N/S, Range 3 W E/W, B.M., Section 10, Subdivision Cntr 1/4 N 1/4 Canyon
 County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4 _____
 County

Other Points of Diversions: _____

Description of diverting works: pump, motor and sprinkler

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	3W	10			X	X			X	X	X	X	X	X	X	X	X	X	480
		11						X	X	26	X	X	X	X		X	X	X	346
		15					X	X	X	X									160

T
2
N

DATE EXAMINATION RECORDS

by:

by:

by:

by:

D91
1260

D34
1210

16 15

D

199.0

13

D

199.0

E

202.9

D86

110

B

14.5

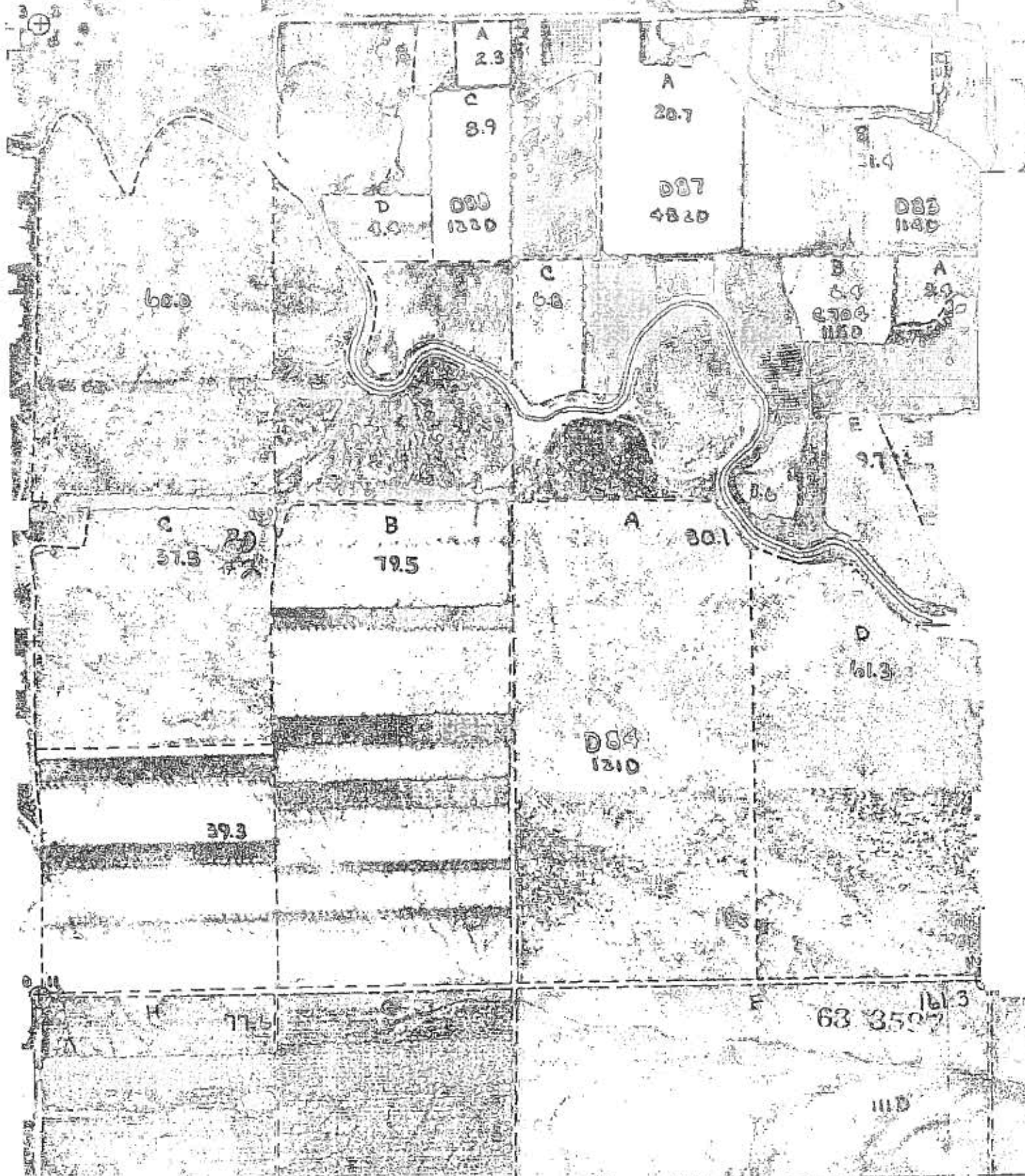
D86

129.0

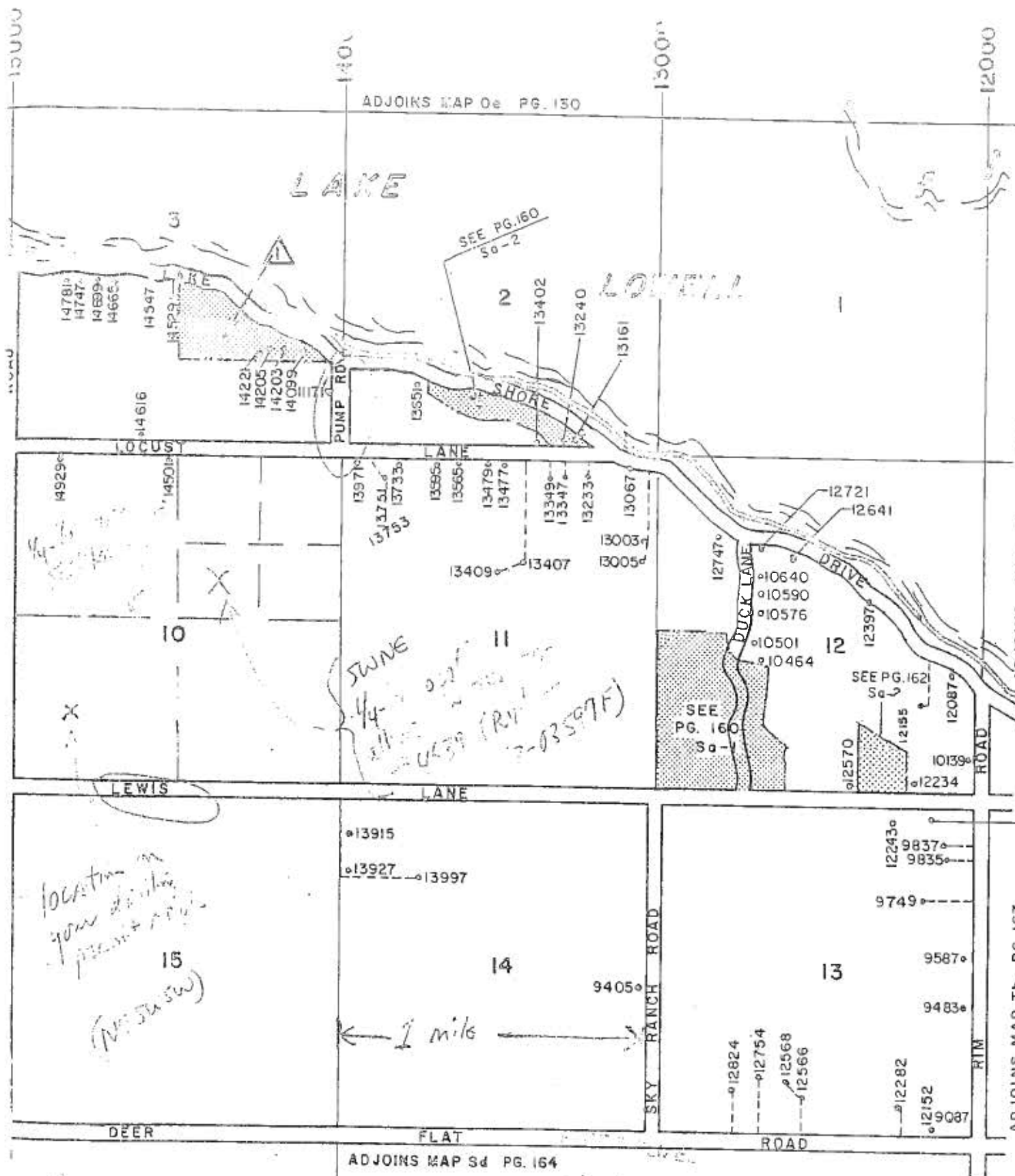
15

22

Sec 11 T2N R3W



63 3505



SECTIONS

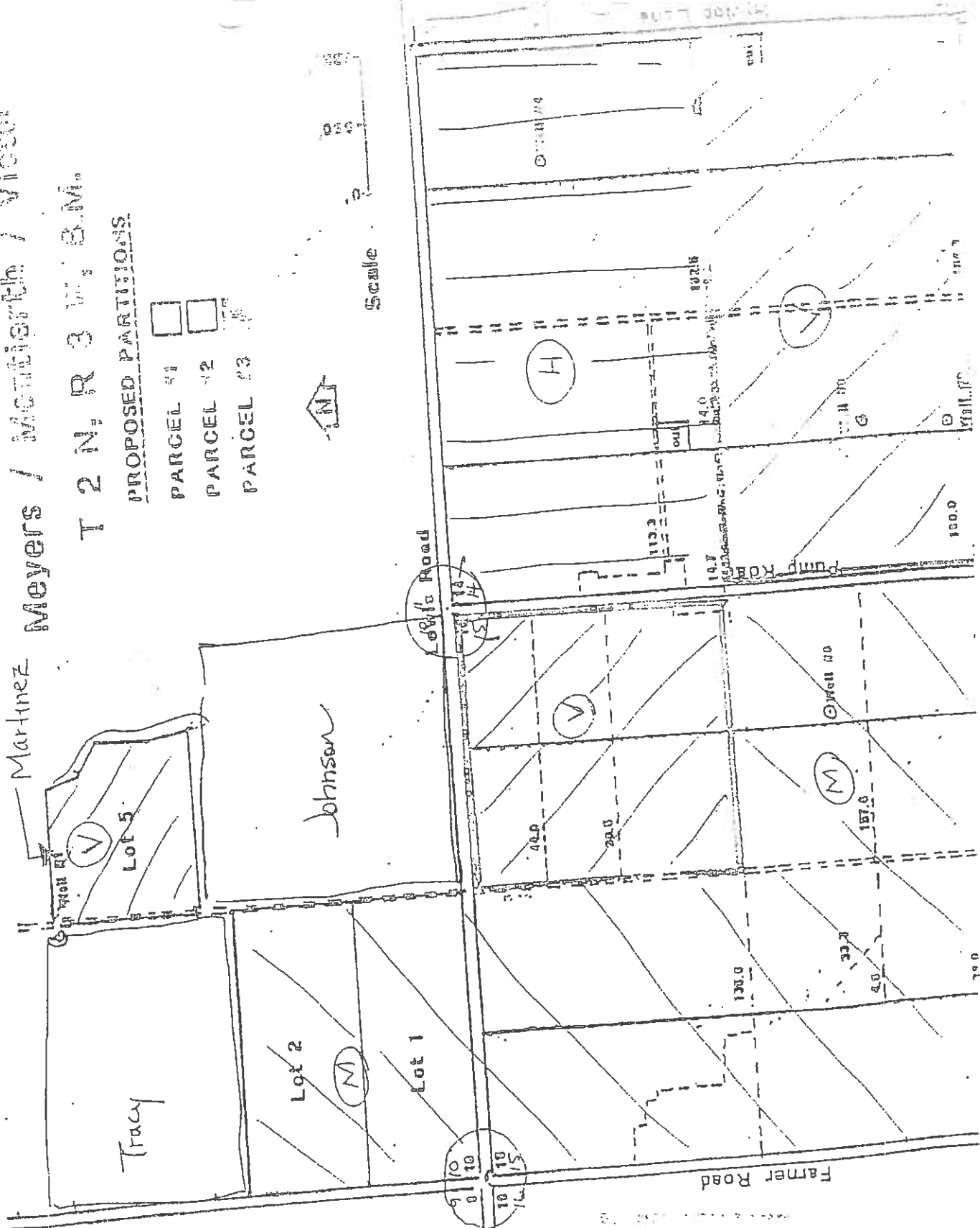
1,2,3,10,11,12,13,14,15 T.2N., R.3W.

Montierth (H) ~ 260 ac
 Meyers (M) ~ 640 ac
 Victor (V) ~ 516 ac

4/1994

Meyers / Montierth / Victor

Martinez



93.5

TRANS

ADA

68.0

135.0

228.5

10

67.0

TRANS

ADA

T5377

TRANS

TO

5

ADA

33.3

6

4.6

T 21
Dec 10, 15

2N 3W

Canyon Co.

1992

180.5

3
44.0

Tract

Farm # (old/new)

2130

Field	1	Crop	CU \$	Year	91	#2130
Field	2	Crop	CU \$	Year	91	#2130
Field	3	Crop	ACC	Year	91	#2130
Field	4	Crop	CU \$	Year	90	#1985
Field	5	Crop	CU \$ 1 ACR	Year	90	#1985
Field	6	Crop	CU \$	Year	90	#1985

7
109.3

93.5

T 2167
acc 10/15

Canyon

TRANS

ITO

ADA

68.0

135.0

228.5

10

67.0

180.5

TRANS

ADA

3
44.0

1993

2456

T 2167

7
109.3

T5377

TRANS

TO

5, ADA

33.3

6.
46.0

1661064



RTW

T2N

APPROVED
APR 3 '57
33558
SIDE TRAIL

NWSE

NESE

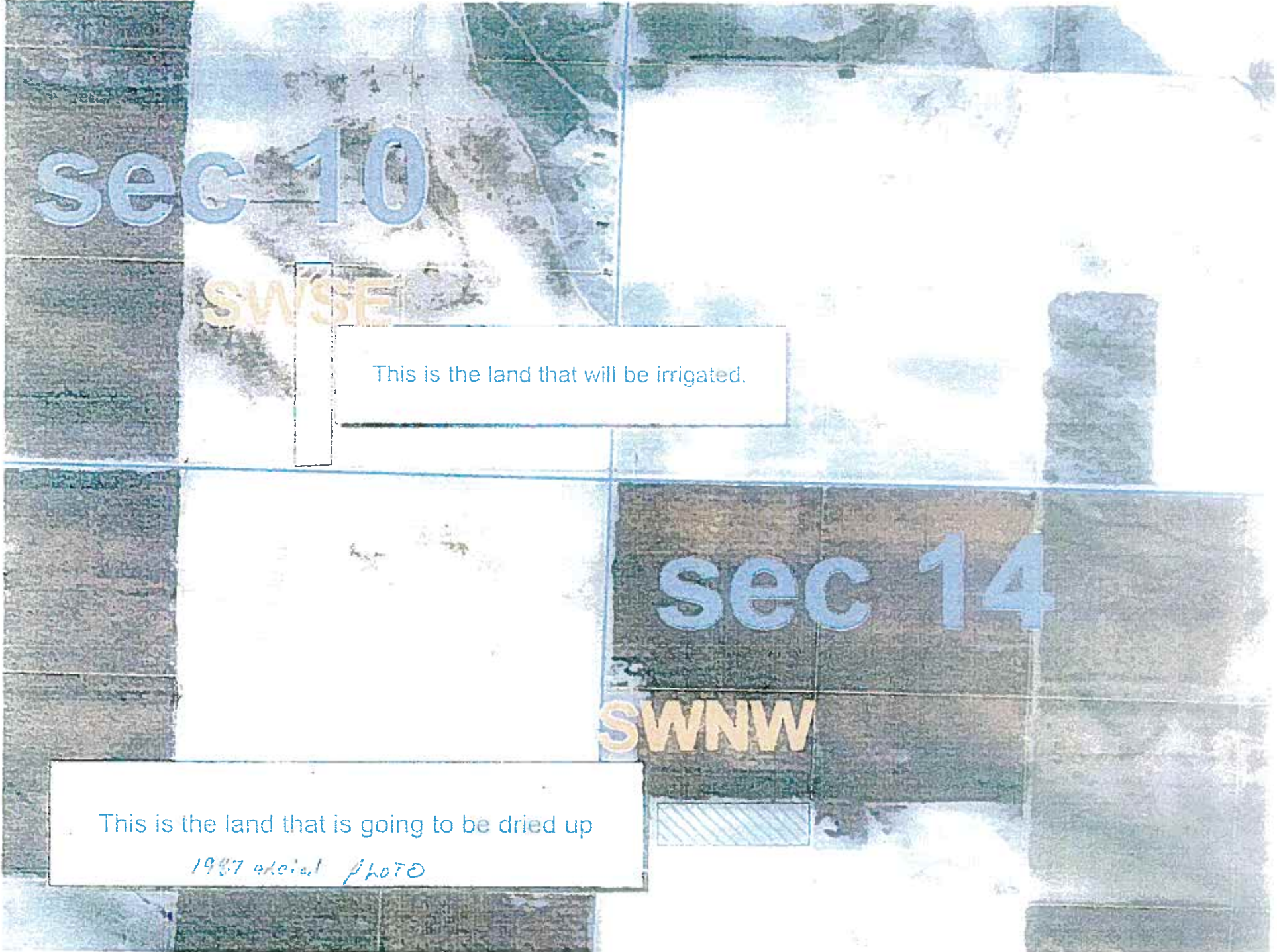
SECTION 10

SWSE

SESE

This is the land
associated with
this permit

1994
9/2/01
24510



sec 10

SW/SE

This is the land that will be irrigated.

sec 14

S/NW

This is the land that is going to be dried up

1987 aerial photo



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 7, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ARNOLD J. VAN BERKEL
C/O DAVID RUSSEL
1268 S WATERMARK AVE
EAGLE, ID 83616

Re: Original Notice of Claim to a Water Right No. 63-3597M

Renumbered Notice of Claim to a Water Right No. 63-32138

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.

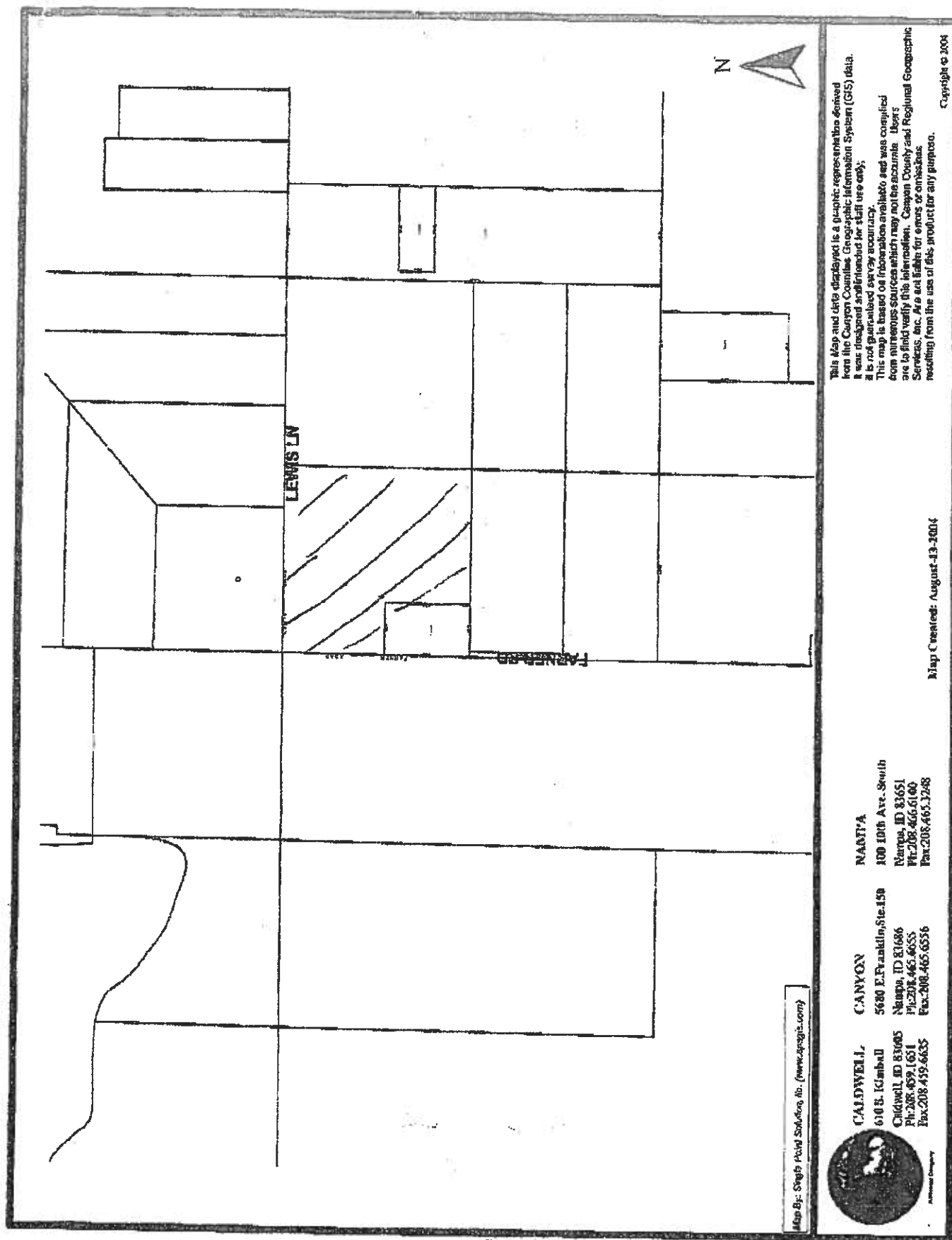
Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LG: lg

Enclosure



Map By: Singh Pict Studios, Inc. (www.singhpict.com)



CALDWELL
610 E. Campbell
Caldwell, ID 83605
Ph: 208-459-1631
Fax: 208-459-6635

CANYON
5680 E. Franklin St. 150
Nampa, ID 83686
Ph: 208-465-4655
Fax: 208-465-6556

NANTYA
100 10th Ave. South
Nampa, ID 83651
Ph: 208-466-6100
Fax: 208-465-3288

This Map and data displayed is a graphic representation derived from the Canyon Counties Geographic Information System (GIS) data. It was designed and produced for staff use only. This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to find verify this information. Canyon County and Regional Geographic Services, Inc. Are not liable for errors or omissions resulting from the use of this product for any purpose.

Map Created: August 13-2004

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 19, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Ian Byrnes
9770 Farmers Rd
Nampa, ID 83686

Re: Original Notice of Claim to a Water Right No. 63-32138
Renumbered Notice of Claim to a Water Right No. 63-32444

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.

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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

LG: lg

Enclosure