

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 63-32652
Date Received: 1/19/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TIMOTHY S LOWBER Phone: (208)467-5034
8276 DEARBORNE
NAMPA ID USA 83686

DEBORAH A LOWBER Phone: (208)467-5034
8276 DEARBORNE
NAMPA ID USA 83686

2. Date of Priority: 07/09/1977

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	02W	20	NW SW	CANYON	

5. Description of diverting works:

100' DEEP, 8"CASING,SUB. PUMP,GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.03	5.85

7. Total Quantity Appropriated is:

0.03 C.F.S. and/or 5.85 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	02W	20	NW	SW	IRRIGATION	1.3
Section Acres						1.3
Total Acres						1.3

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 right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

This right is a split from former right 63-8856 .

15. Basis of Claim: License

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
63-8856					

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) Lawrence A Lowber
4. New Owner/Claimant(s) 8362 Dearborne Rd
Nampa ID. 83686
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address Timothy S. Lowber or Deborah A. Lowber
- City, State and ZIP Code 8276 Dearborne Rd. Nampa, Id 83686
- New Telephone Number 208 467-5034
5. Date you acquired the property 8-27-02

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

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

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

7. Signature of New Owner(s) or Claimant(s) Timothy S. Fowler
(include title if applicable) Delbert A. Fowler

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 N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by JD AJ Date 4-30-07 WR _____ Date _____

INSTRUMENT NO. 200241333

QUIT CLAIM DEED

THIS INDENTURE, made this 27th day of August, 2002, between LAWRENCE A. LOWBER and MARGIE I. LOWBER, husband and wife, the Parties of the First Part, and TIMOTHY SCOTT LOWBER and DEBORAH ANN LOWBER, husband and wife, whose address is 8276 Dearborne Road, Nampa, Idaho 83686, the Parties of the Second Part;

WITNESSETH:

That the said Parties of the First Part, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), lawful money of the United States of America, to them in hand paid by the said Parties of the Second Part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM unto the said Parties of the Second Part, and to their heirs and assigns, all that certain lot, piece or parcel of land, situate, lying and being in the County of Canyon, State of Idaho, bounded and particularly described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated herein by this reference.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Parties of the Second Part, and to their heirs and assigns forever.

THIS DEED corrects the legal description on Quitclaim Deed between the same parties, recorded in September, 1999 in Canyon County, Idaho, as Instrument Number 9933944.

IN WITNESS WHEREOF, the said Parties of the First Part have hereunto set their hands and seals the day and year first above written.

Dated this 27 day of August, 2002.

Lawrence A. Lowber
LAWRENCE A. LOWBER

Margie I. Lowber
MARGIE I. LOWBER

ACKNOWLEDGEMENT

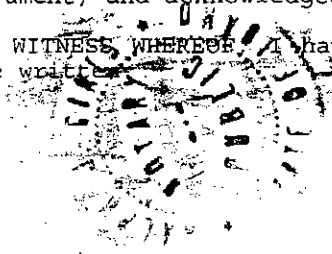
STATE OF IDAHO

)
) SS
)

COUNTY OF ADA

On this 27th day of August, 2002, before me, a notary public in and for said State, personally appeared LAWRENCE A. LOWBER and MARGIE I. LOWBER, husband and wife, known 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 here to set my hand and seal on the date first above written.



Ralph J. Biner
Notary Public for State of IDAHO
Residing at Boise, Idaho
My Commission Expires: 3-6-04

EXHIBIT "A"

A portion of the Northwest Quarter of the Southwest Quarter of Section 20, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho more particularly described as follows:

Commencing at the Northwest Quarter of the said Northwest Quarter of the Southwest Quarter (West Quarter corner); thence

South 89 degrees 56' 15" East along the North boundary of the said Northwest Quarter of the Southwest Quarter, a distance of 223.00 feet; thence

South 0 degrees 13' 00" West, parallel to the West boundary of the said Northwest Quarter of the Southwest Quarter, 820.00 feet to the TRUE POINT OF BEGINNING; thence

North 89 degrees 56' 15" West, parallel to the aforesaid North boundary, 223.00 feet to a point on the aforesaid West boundary; thence

South 0 degrees 13' 00" West along the said West boundary, 504.87 feet to the Southwest corner of the said Northwest Quarter of the Southwest Quarter; thence

South 89 degrees 56' 15" East, along the South boundary of the said Northwest Quarter of the Southwest Quarter, 282.83 feet; thence

North 0 degrees 30' 51" East, parallel to the West boundary 504.87 feet; thence

North 89 degrees 56' 15" West, parallel to the aforesaid North boundary, 61.26 feet; to the TRUE POINT OF BEGINNING.

200241333

RECORDED

02 SEP 6 AM 9 56

G NOEL HALE

CANYON COUNTY RECORDER.

BY

Robert L. Jones

REQUEST

TYPE

Doc

FEE

6.00

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: A63-08856
Date Received: 1/19/1990
Receipt No: W007739
Received By: REL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAWRANCE LOWBER 208-466-5938
Address: 8276 DEERBORNE
NAMPA, ID 83686

OR
Name: MARGIE I. LOWBER 208-466-5938
Address: 8276 DEERBORNE
NAMPA, ID 83686

2. Date of Priority: JUL 09, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	20	NW	SW			CANYON

5. Description of diverting works:
100' DEEP, 8" CASING, SUB. PUMP, GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.680		153.00

7. Total Quantity Appropriated is:
0.680 C.F.S. (and/or) 153.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	20	NW	SW		IRR	34.0
Section Acres							34.0
Total Acres							34.0

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:
NAMPA-MERIDIAN IRR. DIST.

14. Remarks:

15. Basis of Claim: LICENSE

MICROFILMED

AUG 24 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Laurance Fowler Date: 1-19-90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of JAN 19 90 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission My Commission Expires December 8, 1994

Water Right Number - 63-08856 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LOWBER LAWRENCE 1 - RT. 4 BOX 4315
2 -
3 -
City- NAMPA State- ID Zip- 83651
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/09/1977 14 L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 02W 20 NW SW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 0.680 153.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.680 153.00 0.890

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

02N 02W 20 NW SW 34.0 01 IRRIGATION (27) CANYON

Total Acres: 34.0

+ - - Diversion Means - WELL & PUMP.

+ - - Non-Irrigation Use -

+ - - Other Rights For Same Use - NAMPA-MERIDIANA IRR. DIST.

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Conditions of Approval - - - - - +
R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

MICROFILMED

AUG 24 1992

Water right number - 63-08856

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 05/16/86

05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 07/01/1982	Field Exam Made	- 08/23/1982	Field Exam Fee	-
Approved/Denied	- 07/15/1977	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 08/24/1982	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/16/1986	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 10/30/1985	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
AUG 24 1992

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

RIGHT NUMBER: 63-32652

NAME AND ADDRESS: TIMOTHY S LOWBER
8276 DEARBORNE
NAMPA ID 83686

DEBORAH A LOWBER
8276 DEARBORNE
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
5.850 AFY

PRIORITY DATE: 07/09/1977

POINT OF DIVERSION:

T02N R02W S20 SWNWSW 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	0.030 CFS 5.85 AFY

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 R02W S20 NWSW 1.30

1.3 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

This right is a split from former right 63-8856 .

Use of this right is combined with water from Nampa Meridian Irrigation District.

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

In Re SRBA	)	Water Rights: 63-8856 (Split)
	)	63-32651, 63-32652
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

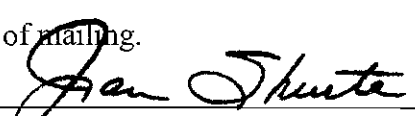
IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion ☐ Place of use
 - ☐ Period of use ☐ Nature of use
 - ☐ Split of water right ☐ Change in ownership
 - ☐ Other
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 4, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 4, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

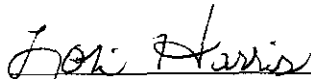
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Lawrance Lowber	☐ overnight mail
Margie Lowber	☒ regular mail
8362 Dearborne	☐ hand-delivered
Nampa ID 83686	☐ facsimile

Timothy Lowber	☐ overnight mail
Deborah Lowber	☒ regular mail
8276 Dearborne	☐ hand-delivered
Nampa ID 83686	☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 30, 2007

TIMOTHY LOWBER
DEBORAH LOWBER
8276 DEARBORNE
NAMPA ID 83686

Re: Original Water Right No. 63-8856

Renumbered to Water Right Nos. 63-32652

Dear Mr. & Mrs. Lowber:

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 resulted in a split of the original claim.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original right after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new number when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copy, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:1
Enclosures