

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 63-32682
Date Received: 8/28/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DONALD E HEIDA Phone: (208)922-5500
8902 S SWAN FALLS RD
KUNA ID USA 83634

2. Date of Priority: 12/17/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	01W	8	NW NW	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/15	2.08	864

7. Total Quantity Appropriated is:
2.08 C.F.S. and/or 864 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
01N	01W	8	NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	32
			SE	NW	IRRIGATION	30
			NE	SW	IRRIGATION	18
			NW	SW	IRRIGATION	40
			NE	NW	IRRIGATION	32
					Section Acres	192
					Total Acres	192

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THE MAXIMUM RATE OF DIVERSION & VOLUME PER YEAR SHALL NOT EXCEED 3.90 CFS/1053 AF WHEN COMBINED WITH LIC. 3142/63-3369.

***THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-07532, FEE PAID UNDER RECEIPT NO. W005051.

CLAIM AMENDED PER TRANSFER NO. 5470 APPROVED 11/22/99 SB.

See remarks for additional conditions of approval.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

This right is a split from former right 63-7532A.

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
63-3369	A				
63-7532	A				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) _____
4. New Owner/Claimant(s) Don Heida
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 8902 S. Swan Falls Rd.
- City, State and ZIP Code Kuna, ID 83634
- New Telephone Number 208 922-5500
5. Date you acquired the property _____

RECEIVED

MAY 23 2007

**WATER RESOURCES
 WESTERN REGION**

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) _____
(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	<u>[Signature]</u>	Date	<u>5-23-07</u>
Received by	<u>[Signature]</u>	Date	<u>6-11-07</u>
Processed by	<u>[Signature]</u>	Date	<u>6-11-07</u>
Fee	<u>N/A</u>	Receipt No.	_____
WR	_____	Date	_____

200148 KN61916

WARRANTY DEED

(CORPORATE FORM)

ACCOMMODATORS, INC., a California Corporation, a corporation organized and existing under the laws of the State of CALIFORNIA, with its principal office at Newport Beach of County of Orange grantor, hereby CONVEYS or GRANTS and WARRANTS TO **DONALD HEIDA and ALICE HEIDA, husband and wife** grantee of **8902 S. SWAN FALLS ROAD, KUNA, IDAHO 83634** for the sum of —TEN AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS, the following described tract(s) of land in ADA County, State of Idaho:

RECORDED - REQUEST OF
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.
IDA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO
FEE 9.00 DEPUTY Murray

2001 AP -6 PM 4:50
Location of above described property ,

101032253

PIONEER TITLE

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this February 7, 2001.

ACCOMMODATORS, INC.

BY
ITS

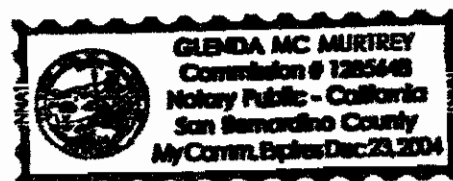
Carol A. Genske
CFO

STATE OF CALIFORNIA

County of SAN BERNARDINO

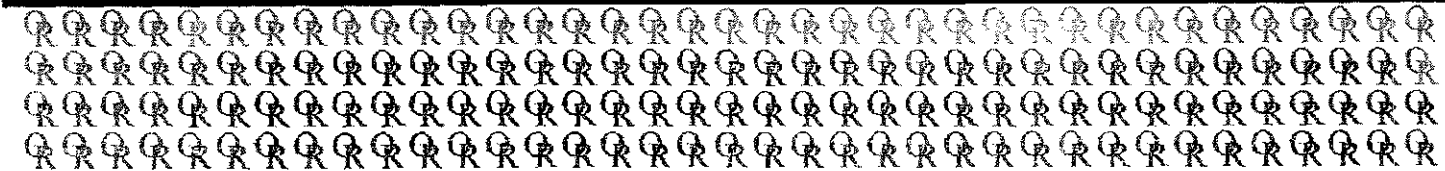
On this 5TH day of APRIL, 2001, before me, a Notary Public in and for the State, personally appeared CAROL A. GENSKE known to me to be the CFO of ACCOMMODATORS, INC., a corporation and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said SHE did duly acknowledge to me that said corporation executed the

Glenda M. Murtry
Notary Public
residing at: CHINO, CA
My commission expires: DEC. 23, 2004



comm. exp. Dec 23, 2004

Schedule A
COMMITMENT



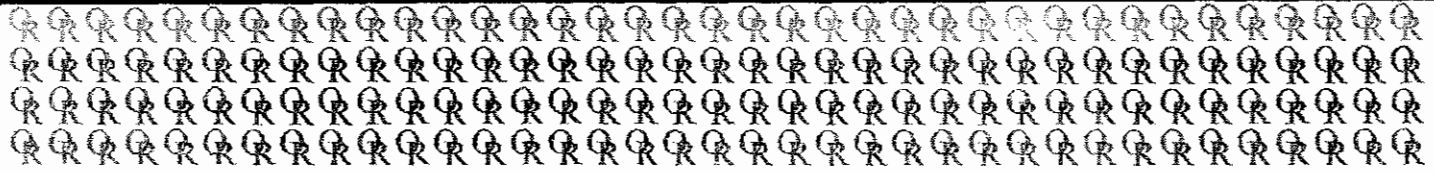
Order No. 200148

EXHIBIT A

A parcel located in Section 8, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at a 5/8 inch diameter iron pin marking the Northwestern corner of said Section 8 from which a 5/8 inch diameter iron pin marking the Northeasterly corner of the Northwest quarter of said Section 8 (one-quarter corner) bears South 89 degrees 28'12" East a distance of 2641.42 feet; thence South 89 degrees 28'12" East along the Northerly boundary of said Section 8 a distance of 2101.42 feet to a 5/8 inch diameter iron pin; thence leaving said Northerly boundary South 0 degree 26'12" West a distance of 470.00 feet to a 5/8 inch diameter iron pin; thence South 89 degrees 28'12" East a distance of 540.00 feet to a 5/8 inch diameter iron pin on the Easterly boundary of said Northwest quarter; thence South 0 degree 26'12" West along said Easterly boundary a distance of 379.77 feet to a point on the centerline of the Waldvogel Canal; thence along said centerline the following described courses:
Thence leaving said Easterly boundary a distance of 108.35 feet along the arc of a 168.00 foot radius non-tangent curve left, said curve having a central angle of 36 degrees 57'08" and a long chord bearing South 37 degrees 53'16" West a distance of 106.48 feet to a point; thence South 19 degrees 24'42" West a distance of 43.75 feet to a point; thence a distance of 364.44 feet along the arc of a 1039.00 foot radius curve left, said curve having a central angle of 20 degrees 05'49" and a long chord bearing South 9 degrees 21'48" West a distance of 362.57 feet to a point; thence + South 0 degree 41'07" East a distance of 1047.47 feet to a point; thence a distance of 223.49 feet along the arc of a 283.00 foot radius curve right, said curve having a central angle of 45 degrees 14'54" and a long chord bearing South 21 degrees 56'20" West a distance of 217.73 feet to a point; thence South 44 degrees 33'47" West a distance of 694.05 feet to a point; thence a distance of 201.47 feet along the arc of a 289.00 foot radius curve left, said curve having a central angle of 39 degrees 56'32" and a long chord bearing South 24 degrees 35'31" West a distance of 197.41 feet to a point; thence South 4 degrees 37'15" West a distance of 696.25 feet to a point on the extension of the Northerly line of the South Power Irrigation Lateral; thence leaving said centerline North 89 degrees 45'47" West along said Northerly line a distance of 510.47 feet to a 5/8 inch diameter iron pin on the Easterly Boundary of the Northwest quarter of the Southwest quarter; thence leaving said Northerly line South 0 degree 25'22" West along said Easterly boundary a distance of 4.50 feet to a 5/8 inch diameter iron pin marking the Southeasterly corner of the said Northwest quarter of the Southwest quarter; thence North 89 degrees 27'09" West along the Southerly boundary of said Northwest quarter of the Southwest quarter of a distance of 1319.81 feet to a 5/8 inch diameter marking the Southwesterly corner of said Northwest quarter of the Southwest quarter; thence North 0 degree 24'32" East along the Westerly boundary of said Northwest quarter of the Southwest quarter a distance of 1321.48 feet to a 5/8 inch diameter iron pin marking the Southwesterly corner of said Northwest quarter; thence

Schedule A
COMMITMENT



Order No. 200148

North 0 degree 24'41" East along the Westerly boundary of said Northwest quarter a distance of 2642.94 feet to the **Point of Beginning.**

Except any portion lying within the right of way of Robinson Road and Fairchild Road.

An aerial photograph of a landscape, likely agricultural, with various fields and a winding road or path. Overlaid on the image are several colored lines: a yellow grid, a red boundary line, and a blue boundary line. A central text box contains the text "Metes and bounds for 63-7532A and 63-3369A". In the bottom left corner, there is a small white arrow pointing upwards with the letter "N" above it, indicating North.

Metes and bounds for
63-7532A and 63-3369A

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 63-7532A
Date Received: 8/28/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GERALD V GUENTZ Phone:
RR3 BOX 3603
NAMPA ID USA 83651

SUSAN E HOWELL Phone: (208)466-1550
RT 1
KUNA ID USA 83634

CURTIS R HOWELL Phone: (208)466-1550
RT 1
KUNA ID USA 83634

THE TRAVELERS INSURANCE CO Phone:
REAL ESTATE DEPT
707 SW WASHINGTON ST
PORTLAND OR USA 97205

2. Date of Priority: 12/17/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	01W	8	NW NW	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/15	2.14	891

7. Total Quantity Appropriated is:
2.14 C.F.S. and/or 891 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
01N	01W	8	NE	NW	IRRIGATION	38
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	32
			SE	NW	IRRIGATION	30
			NE	SW	IRRIGATION	18
			NW	SW	IRRIGATION	40
					Section Acres	198
					Total Acres	198

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THE MAXIMUM RATE OF DIVERSION & VOLUME PER YEAR SHALL NOT EXCEED 3.90 CFS/1053 AF WHEN COMBINED WITH LIC. 3142/63-3369.

***THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-07532, FEE PAID UNDER RECEIPT NO. W005051.

CLAIM AMENDED PER TRANSFER NO. 5470 APPROVED 11/22/99 SB.

See remarks for additional conditions of approval.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5470
WATER RIGHT NO(S). 63-03369B/63-07532B

RECEIVED

NOV 26 1999

WATER RESOURCES
WESTERN REGION

This is to certify that: ROBERT SVEDIN
7605 S ROBINSON
KUNA ID 83634

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>
Right No. 63-03369B : IRRIGATION Priority: 10/07/1963	03/15 to 11/15	0.47 CFS	162.0 AF
Right No. 63-07532B : IRRIGATION Priority: 12/17/1971	04/01 to 11/15	0.39 CFS	162.0 AF
TOTAL:		0.60 CFS	162.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWSW, Sec 5, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01W	5	SWSW	36		36
Total number of acres irrigated:						* 36

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. 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.

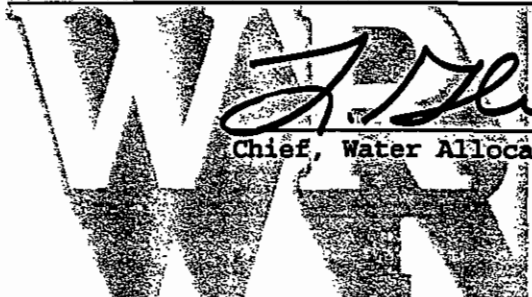
TRANSFER NO. 5470
WATER RIGHT NO(S). 63-03369B/63-07532B

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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-03369B before 03/15 and under Right 63-07532B before 04/01, is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
- * 8. Rights 63-03369B and 63-07532B when combined shall not exceed a total diversion rate of 0.60 cfs, a total annual maximum diversion volume of 162.0 af at the field headgate, and the irrigation of 36.0 acres.

Dated this 22nd day of

November, 19 99



Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 63-03369 & 63-07532

FROM: Pam Skaggs  State Office

SUBJECT: Transfer 5470

DATE: November 19, 1999

Transfer 5470 changes the point of diversion under a portion of Rights 63-03369 and 63-07532, splitting each right into Parts A and B. The applicant is drilling a separate well for his portion of the right and land. The unchanged portions under Part A will continue to use the original well.

The standard season of use is earlier than either licensed season and the approval contains the subordinated early use condition. Other recommended conditions include drilling permit requirements, future measuring devices & annual reporting, irrigation overlap and standard transfer conditions.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

APPLICANT Robert Svedin TRANSFER NO. 5470

INITIAL ALLOCATION REVIEW BY RZ DATE 6/9/99

1. Right number(s) 63-03369 63-07532

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 Period ☒ 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:

- to complete*
- a. ☒ Analysis memo (always - unless justify why not needed)
 - 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) - *change ID ownership to follow for separate system*
 - 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 - check rate of flow, diversion volume and consumptive use volume. Comments:

*Need current owner's consent
Rec 6/21/99
g*

j. / Overlapping rights - check current & proposed scenarios:

Current } Appears that only these 2 g.w.
 Proposed } Rights cover the pertinent P/w.

k. / SRBA claim(s) claimed as licensed so
" int's n/a to legal notice

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 xfer conditions

4. By Gary S Date 8/12/99

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? / Yes from

2. File forwarded to S.O.: by ST date 8-12-99

MEMO

DATE: 7/27/1999

TO: File 5470

FR: lg

RE: Svedin Transfer, Rights 63-03369, 63-07532

This transfer proposes to split the water rights to reflect separate owners and, with the addition of a new well, separate systems.

ATTACHMENTS:

- A. Ownership Documentation
- B. 1987 CFSA Photo

The application was prepared by myself and initially reviewed and submitted for advertising by Steve Lester.

CURRENT RECORDS & PROPOSED CHANGE:

Although surface water (63-02388) appears in sections 5 and 8, on the p/u comparison report, Steve found that the p/u for both rights appears to be outside the delivery co./district service area per basin 63 local service area maps produced by IDWR.

The SRBA claims were filed as licensed.

VERIFICATION:

1987 CFSA photo verified irrigation along with IDWR's 1994 scanned airphoto.

RECOMMENDATIONS:

With the attached ownership information, this transfer should be approved as part A and part B designating each separate owner, system, and acres.

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING INVOICE

Account #	DTI#	Identification	Amount:
047628	60618	PROPOSED CHANGE OF WATER RIGHT, #5470.	\$54.48
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		NT	JUNE 17, 24, 1999
IDAHO DEPT. OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705-5082			Number of Lines 31
			Affidavit 1
			Legal # 4326

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT, TRANSFER NO. 5470.

Notice is given that ROBERT SVEDIN of 7605 S. Robinson, Kuna ID 83634 has applied to the Department of Water Resources to change the Point of Diversion pursuant to I.C. § 42-222 for the following licensed irrigation ground water rights in TIN RTW, Ada County:
#63-03369, priority 10-7-1963, 2.15 cfs, diverted in NWNW S8 to irrigate 166 acres in SWSW S5 and parts of W 1/2 S8.
#63-07532, priority 12-17-1971, 2.53 cfs, same diversion to irrigate 234 acres in about the same tracts described above.
Combined rights allow 3.90 cfs to irrigate 234 acres.

PROPOSED CHANGE

Split both rights and add a new well to irrigate Svedin's 36 acres, all in SWSW S5. Applicant will divert .60 cfs from new well. Unchanged portions of rights will still be served from original well (3.30 cfs for 198 acres in S8). Applicant's portions of rights will be 63-03369B and 63-07532B.

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 for each application on or before July 6, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. June 17/24, 1999

4326

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: JUNE 17, 1999
and ending with the issue of: JUNE 24, 1999

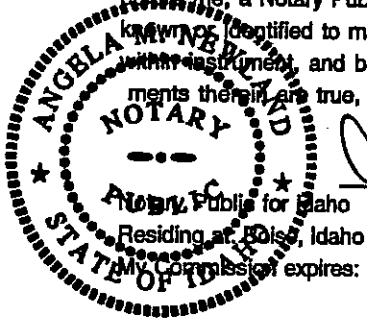
Janice Hildreth

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 24 day of JUNE in the year of 1999

before me, a Notary Public, personally appeared before me Janice Hildreth known to me to be the person whose name subscribed to the instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Angela M. Newland



RECEIVED

JUN 25 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5478

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant 170001 J. W. D. N. Phone 745-225-1
Post Office address 7605 S Robinson Rd Kansas Id 83634

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 acres in section 5 will operate from a separate well + system for separate owners - change of ownership will be necessary once transfer is approved.

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>63-03369A</u>	<u>10/7/1963</u>	<u>1.68/585</u>	<u>Irrig</u>	<u>3/15</u> to <u>11/15</u>
<u>B</u>		<u>.47/162</u>	<u> </u>	<u>3/15</u> to <u>11/15</u>
<u>63-07532A</u>	<u>12/17/1971</u>	<u>2.14/891</u>	<u> </u>	<u>4/1</u> to <u>11/15</u>
<u>B</u>		<u>.39/162</u>	<u> </u>	<u>4/1</u> to <u>11/15</u>

✓c- 2. Total amount of water being transferred ~~4.67~~ 3.90 cubic feet per second and/or 1053 acre-feet per annum.

3. Source of water Ground water tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: *No Change*

[illegible]

PART 1

6. General Information:

a. Description of diversion system A- existing system
B- new well, pump, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes / No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A

d. Remarks:
A + B parts of both rights, when combined, cannot exceed the original system capacity of 3.5 cfs.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

pg 3 of 8
WR0749NP
No. 63-03369

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/21/81
PAGE:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD GUENTZ	10/07/1963	IRRIGATION	03/15 11/15	2.150 CFS	747.00 AFA
C	LORENE GUENTZ					
	RT. 3			TOTAL DIVERSION:	2.150 CFS	747.00 AFA
	NAHPA ID 83651					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S08 NW/14 ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S		NENE	NWNE	SUNE	SENE	NENW	NWNW	SUNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SUSE	SESE	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
01N	01W	5	:												36						36.0
01N	01W	8	:					40	32			18	40								130.0
																				TOTAL ACRES	166.0

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-07532

Other Water Rights Listing Overlapping Place(s) of use:
63-03319 63-07532

Dates:	App. Received:	Priority Date:	10/07/1963
	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:

Audit: 05/20/85 05/01/88 CONVERT

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

Pg 5 of 8

WR0749NP
No. 63-07532IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 04/21/91
PAGE:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD V. GUENTZ R.R.3 BOX 3603 NANPA ID 83651	12/17/1971	IRRIGATION	04/01 11/15	2.530 CFS	1053.00 AFA
					TOTAL DIVERSION:	2.530 CFS 1053.00 AFA
C	THE TRAVELERS INSURANCE CO.					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S08

NWNW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
NENE		NNE		SNE		SENE		NENW		NNW		SNW		SESW		NENE		NWSE		SWSE		SESE			
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	SUM
01N	01W	5	:		:		:																		
01N	01W	8	:		:	38	:	40	:	32	:	30	:	18	:	40	:								
																							TOTAL ACRES	234.0	

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-03369Other Water Rights Listing Overlapping Place(s) of use:
63-03319 63-03369

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks: GEN THE MAXIMUM RATE OF DIVERSION & VOLUME PER YEAR SHALL NOT EXCEED
3.90 CFS/1053 AF WHEN COMBINED WITH LIC. 3142/63-3369.

Dates:	App. Received:	Priority Date:	12/17/1971
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.D.:	
	Licensed Date:	09/13/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 04/29/86 05/01/88 CONVERT 09/22/90 RGTHE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N If yes, describe _____**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

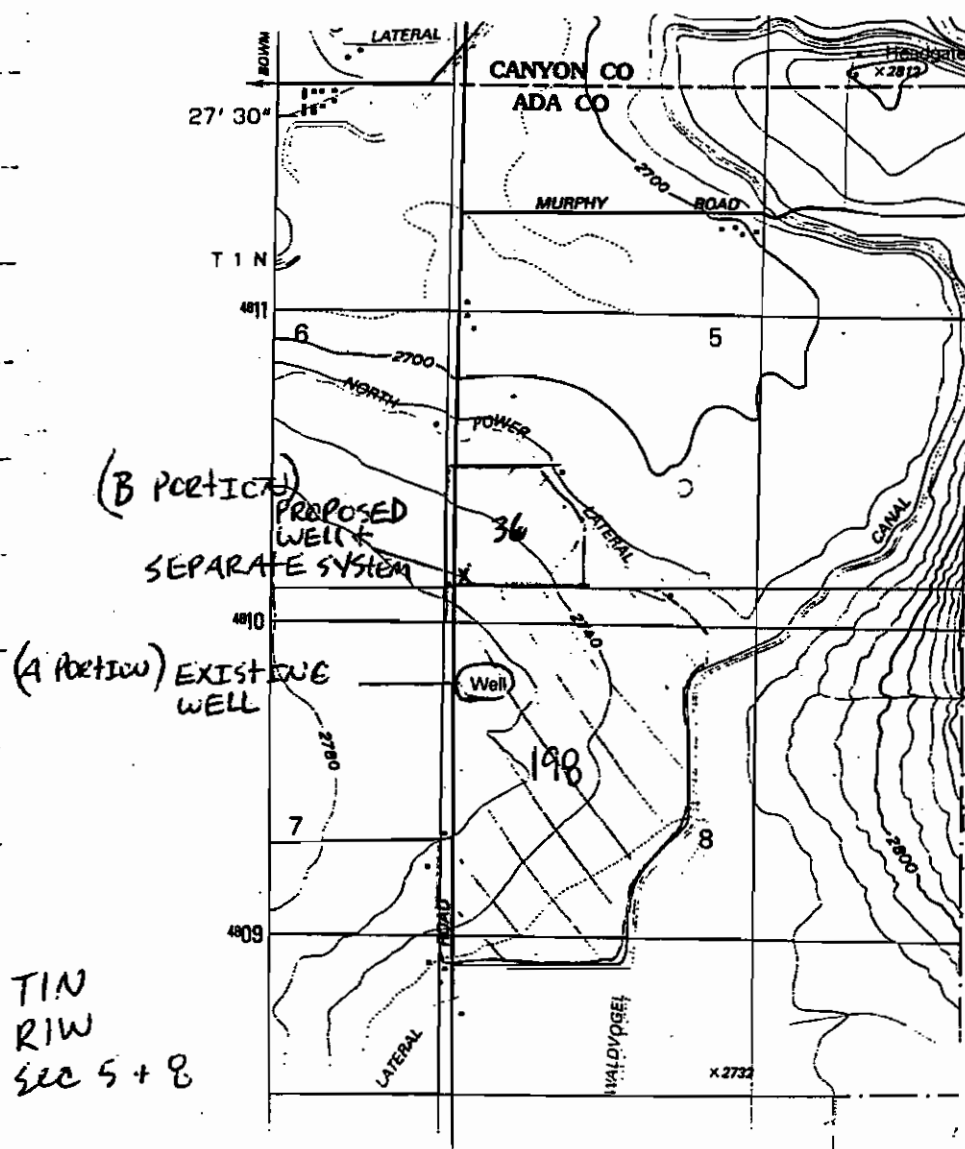
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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 described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this _____

Robert A. Friedman
(Signature of Applicant)
21st day of April, 19 99

Lori Graves
(Notary Public)

My commission expires 6/18/2004

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments
 Received by Ly Date 4/21/99 Protest filed by _____
 Prelim. check by SL Fee 100 W025093
 Receipted by Ly Date 4/21/99
 Published in Idaho Statesman 6-17+24-99 Copies of protest forwarded by _____
 Pub. dates 6-17+24-99 Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

CONVERSATION MEMORANDUM

DATE 2/3/2000FILE ~~T. 5470~~ Suedin

NAME OF PARTY _____

D.P. Applicant
63-99 W-101
01EMPLOYEE RRE: Drilling Permit Appl. for Robert Suedin

This d.p. is for new well added in T. 5470, which split rights 63-03369 & 63-07532 into A & B portions. The B portions were for Suedin.

Subsequent to that, Drake filed T. 5633 application to split B into C & D since Suedin sold to 2 new parties, Hewson (will be C) & Drake (will be D). T. 5633 is pending at Regional office. Part of the plan has to be corrected in the pending split.

A well agreement was included in T. 5633 that requires Suedin to put in the new well as part of the SAKS Agreement. The new well (additional pt. of division originally approved in T. 5470 & reconfirmed in Appl. T. 5633) might be able to be drilled per T. 5470 Agreement (Nov. 1999), although it should not be well outside of Suedin's S. 5 until T. 5633 is issued.

The best course of action is probably to wait until T. 5633 is issued, then approve the d.p. in name of Suedin. D.P. approval will not confer any WR ownership or use of water for Suedin.

T. 5633 Done & in files

'B' parties *

DATE: 02/03/
PAGE:

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S05 SWSW

ADA County

Place of use Legal Description for: IRRIGATION

[illegible]

Pou County: ADA

Conditions of Approval:

- D46 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- O1M - 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.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 sfs per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 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.
- 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: GEN The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-03369B before 03/15, and under Right 63-07532B before 04/01, is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.

Rights 63-03369B and 63-07532B when combined shall not exceed a total diversion rate of 0.60 cfs, a total annual maximum

* now $B \rightarrow$ proposal C (Heuristics) $\div$ D (Oracle) per

WR5809WP
No. 63-03369B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/1
PAGE:

Remarks: diversion volume of 162.0 af at the field headgate, and the
irrigation of 36.0 acres.

Dates: App. Received: Priority Date: 10/07/1963
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:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS

WR5809NP
No. 63-075328

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/
PAGE:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT SVEDIN 7605 S ROBINSON KUNA ID 83634 (208) 495-2259	12/17/1971	IRRIGATION	04/01 11/15	0.390 CFS	162.00 AF/
TOTAL DIVERSION:					0.390 CFS	162.00 AF/

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S05

SWSW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	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	
01N	01W	5	:	:	:	:	:	:	:	36	:	:	:	:	:	36.0
TOTAL ACRES															36.0	

Pou County: ADA

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 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.
- 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.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 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.
- 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: GEN The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-033698 before 03/15, and under Right 63-075328 before 04/01, is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval. Rights 63-033698 and 63-075328 when combined shall not exceed a total diversion rate of 0.60 cfs, a total annual maximum

WR5809NP
No. 63-075328

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/
PAGE:

Remarks: diversion volume of 162.0 af at the field headgate, and the
irrigation of 36.0 acres.

Dates: App. Received: Priority Date: 12/17/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/13/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS 11/19/99 PSKAGGS

WR5809NP
No. 63-03369A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/1
PAGE:

'A' portions

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD GUENTZ	10/07/1963	IRRIGATION	03/15 11/15	1.680 CFS	585.00 AFA
C	LORENE GUENTZ					
	RT 3					
	NAMPA ID 83651					
TOTAL DIVERSION:					1.680 CFS	585.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R01W S08

NWNW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
: 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 Lt Ac Lt Ac Lt Ac				
01N 01W 8 :				: 40 32				: 18 40				:				: 130.0
TOTAL ACRES															130.0	

Pol County: ADA

Dates: App. Received: Priority Date: 10/07/1963
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:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS

*adds proposed WSA 5WSW S.S
to B portions*

WR5809NP
No. 63-07532A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/
PAGE:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD V GUENTZ R R 3 BOX 3603 NANPA ID 83651	12/17/1971	IRRIGATION	04/01 11/15	2.140 CFS	891.00 AF
TOTAL DIVERSION:					2.140 CFS	891.00 AF

C THE TRAVELERS INSURANCE CO

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S08

NWNW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
01N	01W	8	:					:	38	40	32	30	:	18	40			:					:	198.0
TOTAL ACRES																							198.0	

Pou County: ADA

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN THE MAXIMUM RATE OF DIVERSION & VOLUME PER YEAR SHALL NOT EXCEED
3.30 CFS/891 AF WHEN COMBINED WITH LIC. 3142/63-3369.

Dates: App. Received: Priority Date: 12/17/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/13/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS

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: A63-07532
Date Received: 8/28/1989
Receipt No: W005051
Received By: JW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CURTIS R. HOWELL 208-466-1550
Address: RT. 1
KUNA, ID 83634

Name: SUSAN E. HOWELL 208-466-1550
Address: RT. 1
KUNA, ID 83634

Name: GERALD V. GUENTZ
Address: R.R.3 BOX 3603
NAMPA, ID 83651

Name: THE TRAVELERS INSURANCE CO.
Address:

2. Date of Priority: DEC 17, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	8	NW	NW			ADA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/15	2.530		1053.00

7. Total Quantity Appropriated is:
2.530 C.F.S. (and/or) 1053.00 A.F.A.

A63-07532

Page 1

Date: 08/28/89

MICROFILMED
AUG 21 1992

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
01N	01W	5	SW	SW		IRR	36.0
						Section Acres	36.0
		8	NE	NW		IRR	38.0
			NW	NW		IRR	40.0
			SW	NW		IRR	32.0
			SE	NW		IRR	30.0
			NE	SW		IRR	18.0
			NW	SW		IRR	40.0
						Section Acres	198.0
						Total Acres	234.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THE MAXIMUM RATE OF DIVERSION & VOLUME PER YEAR SHALL NOT EXCEED
3.90 CFS/1053 AF WHEN COMBINED WITH LIC. 3142/63-3369.

15. Basis of Claim: LICENSE

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: 1

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): Curtis K. Howell

Date: 8-28-89

Date: _____

State of Idaho)

County of ADA)

SS.

Subscribed and sworn (or affirmed) before me this 28th day

of August 19 89

Seal

Jan Shute
Notary Public

Residing at Meridian ID

My Commission Expires 9-14-94



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

RIGHT NUMBER: 63-32682

NAME AND ADDRESS: DONALD E HEIDA
8902 S SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.080 CFS
864.000 AFY

Right Nos. 63-32681, 63-32682 and 63-3369A are limited to a total combined diversion rate of 3.96 cfs and to a total combined annual diversion volume of 891.0 AF.

PRIORITY DATE: 12/17/1971

POINT OF DIVERSION:

T01N R01W S8 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/15	2.080 CFS 864.00 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 April 1 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:

<u>IRRIGATION in ADA County</u>					
T01N R01W S08	NENW	32.00	T01N R01W S08	NWNW	40.00
T01N R01W S08	SWNW	32.00	T01N R01W S08	SENW	30.00
T01N R01W S08	NESW	18.00	T01N R01W S08	NWSW	40.00

192 ACRES TOTAL

Right Nos. 63-32681, 63-32682 and 63-3369A are limited to the irrigation of a combined total of 198 acres in a single irrigation season.

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 63-7532A.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

**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: 63-7532A (Split)
	)	63-32681, 63-32682
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

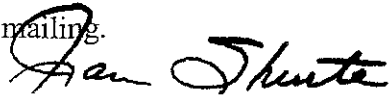
IDWR has completed the following administrative proceeding:

- ☐ 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: June 15, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 15, 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:

Don Heida	☐	overnight mail
8902 S Swan Falls Rd	☒	regular mail
Kuna ID 83634	☐	hand-delivered
	☐	facsimile

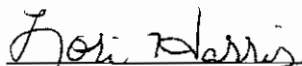
Susan Howell	☐	overnight mail
Curtis Howell	☒	regular mail
Rt 1	☐	hand-delivered
Kuna ID 83634	☐	facsimile

Gerald Guentz
RR3 Box 3603
Nampa ID 83651

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

The Travelers Insurance Co
Real Estate Dept
707 SW Washington St
Portland OR 97205

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ 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

June 15, 2007

DONALD E HEIDA
8902 S SWAN FALLS RD
KUNA ID 83634

Re: Original Water Right No. 63-7532A

Renumbered to Water Right Nos. 63-32682

Dear Mr. Heida:

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