

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 63-33020
Date Received: 12/28/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THERESSA ENGLUND Phone: (208) 850-1851
416 18TH AVE S
NAMPA ID USA 83651

SCOTT ENGLUND Phone: (208) 850-1851
416 18TH AVE S
NAMPA ID USA 83651

2. Date of Priority: 07/09/1973

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	SE SW	CANYON	

5. Description of diverting works:

WELL & TURBINE PUMP DISCHARGING TO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.79	177.7

7. Total Quantity Appropriated is:

0.79 C.F.S. and/or 177.7 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	SW	IRRIGATION	19.5
			SW	SW	IRRIGATION	20
					Section Acres	39.5
					Total Acres	39.5

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 is a split from former right 63-7825B.

15. Basis of Claim: License

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 63-7825B
Date Received: 12/28/1989
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

THERESSA ENGLUND Phone: (208)850-1851
416 18TH AVE S
NAMPA ID USA 83651

SCOTT ENGLUND Phone: (208)850-1851
416 18TH AVE. S.
NAMPA ID USA 83651

2. Date of Priority: 07/09/1973

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	SE SW	CANYON	

5. Description of diverting works:

WELL & TURBINE PUMP DISCHARGING TO MAINLINE TO SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.6	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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02N	03W	15	SW	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
					Section Acres	80
					Total Acres	80

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:

See remarks for additional conditions of approval.

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION AND VOLUME PER YEAR SHALL NOT EXCEED .02 CFS/4.5 AF/AC WHEN COMBINED WITH LIC. NO. 22446/63-2879. THIS CLAIM IS A RESULT OF A SPLIT DUE TO AN OWNERSHIP CHANGE. SECOND PHONE NUMBER LISTED FOR CLAIMANT: 465-4561

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

CHANGE IN OWNERSHIP LG 9-25-2006 REVIEWED BY S. EGBERT

15. Basis of Claim: License

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

RECEIVED

SEP 12 2006

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.

2.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-2879	Y			
	63-7825B	Y			

3. 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

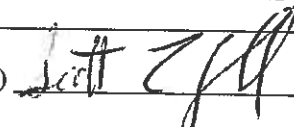
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Robert J. and Kathi L. Meyers, V&M Trust
4. New Owner/Claimant(s) Scott E. and/or Theresa Englund
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 416 18th Ave. S.
- City, State and ZIP Code Nampa, ID 83651
- New Telephone Number (208) 850-1851
5. Date you acquired the property February 24, 2004

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 63-2879		
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	0.89	77.62 acres
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 63-7825B		
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	1.55	77.62 acres
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 _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by ag AJ Date 9-25-06 WR _____ Date _____
 reviewed by S. Eghart



Notary

TRANSACTION TITLE
REQUEST
TYPE *W* FEE *9.00*THA NO.
CANYON COUNTY RECORDER
BY *gnoel hales*G NOEL HALES
CANYON COUNTY RECORDER
BY *gnoel hales*

3004 FEB 27 PM 4 44

RECORDED

200411174

Escrow No. 0300014983-*LUK*

WARRANTY DEED

FOR VALUE RECEIVED

GREGORY S. BRUMFIELD AND LAURA A. BRUMFIELD, HUSBAND AND WIFE

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: SCOTT E. ENGLAND AND THERESA ENGLAND, HUSBAND AND WIFE

GRANTEES(s), whose current address is: 1003 14th Ave. S, Nampa ID 83651
the following described real property in Canyon County, State of Idaho,
more particularly described as follows, to wit:SEE EXHIBIT "A" ATTACHED
(Continued)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Date: February 24, 2004

X *Greg Brumfield*
Greg S. Brumfield*X* *Laura Brumfield*
Laura A. Brumfield

Notary Acknowledgment - see page 2

WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

Arizona

State of IDAHO, County of ADA, ss.

On this 25 day of FEBRUARY in the year of 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared GREGORY S. BRUMFIELD AND LAURA A. BRUMFIELD known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

~~LISA KERBER~~

~~Residing at: MERIDIAN, IDAHO
My commission expires:~~

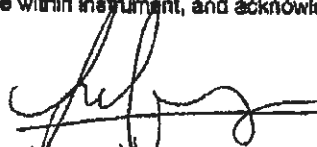
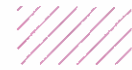

Leah Haag
Maricopa, Arizona
1-15-06



EXHIBIT "A"

This parcel is a portion of the Northwest quarter of the Southwest quarter and the Southwest quarter of the Southwest quarter of Section 15, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

Beginning at the Northwest corner of said Northwest quarter of the Southwest quarter; thence North 89°50'16" East along the North boundary of said Northwest quarter of the Southwest quarter a distance of 1324.41 feet to the Northeast corner of said Northwest quarter of the Southwest quarter; thence South 00°25'03" West along the East boundary of said Northwest quarter of the Southwest quarter a distance of 1326.48 feet to the Northeast corner of said Southwest quarter of the Southwest quarter; thence South 00°25'03" West along the East boundary of said Southwest quarter of the Southwest quarter a distance of 1328.40 feet to the Southeast corner of said Southwest quarter of the Southwest quarter; thence South 89°45'34" West along the South boundary of said Southwest quarter of the Southwest quarter a distance of 1081.50 feet to a point which lies 245.00 feet East of the Southwest corner of said Southwest quarter of the Southwest quarter; thence North 00°27'44" East parallel with the West boundary of said Southwest quarter of the Southwest quarter a distance of 246.00 feet; thence South 89°45'34" West parallel with the South boundary of said Southwest quarter of the Southwest quarter a distance of 245.00 feet to a point on the West boundary of said Southwest quarter of the Southwest quarter; thence North 00°27'44" East along said West boundary a distance of 1082.36 feet to the Southwest corner of said Northwest quarter of the Southwest quarter; thence North 00°27'44" East along the West boundary of said Northwest quarter of the Southwest quarter a distance of 48.89 feet; thence North 89°48'01" East parallel with the South boundary of said Northwest quarter of the Southwest quarter a distance of 215.22 feet; thence North 00°27'44" East parallel with the West boundary of said Northwest quarter of the Southwest quarter a distance of 202.40 feet; thence South 89°48'01" West parallel with the South boundary of said Northwest quarter of the Southwest quarter a distance of 215.22 feet to a point on the West boundary of said Northwest quarter of the Southwest quarter; thence North 00°27'44" East along said West boundary a distance of 1076.28 feet to the POINT OF BEGINNING.



63-2879



63-7825B

Change in Ownership
Scott and Theresa Englund

0 125 250 500
Feet



Water Engineering LLC
water resource consultants

560 E. River Park Lane, Ste. 400, Boise, Idaho 83706
tel: 208.353.4142 fax: 208.353.4191

N
↑

Breanna Dairy
9166 Peach Rd.
Caldwell, Id. 83607

Becky Neeley
11485 Lewis Ln
Nampa, Id. 83686

CP&F Inst. No. 200329257
W 1/4 Corner
Section 15

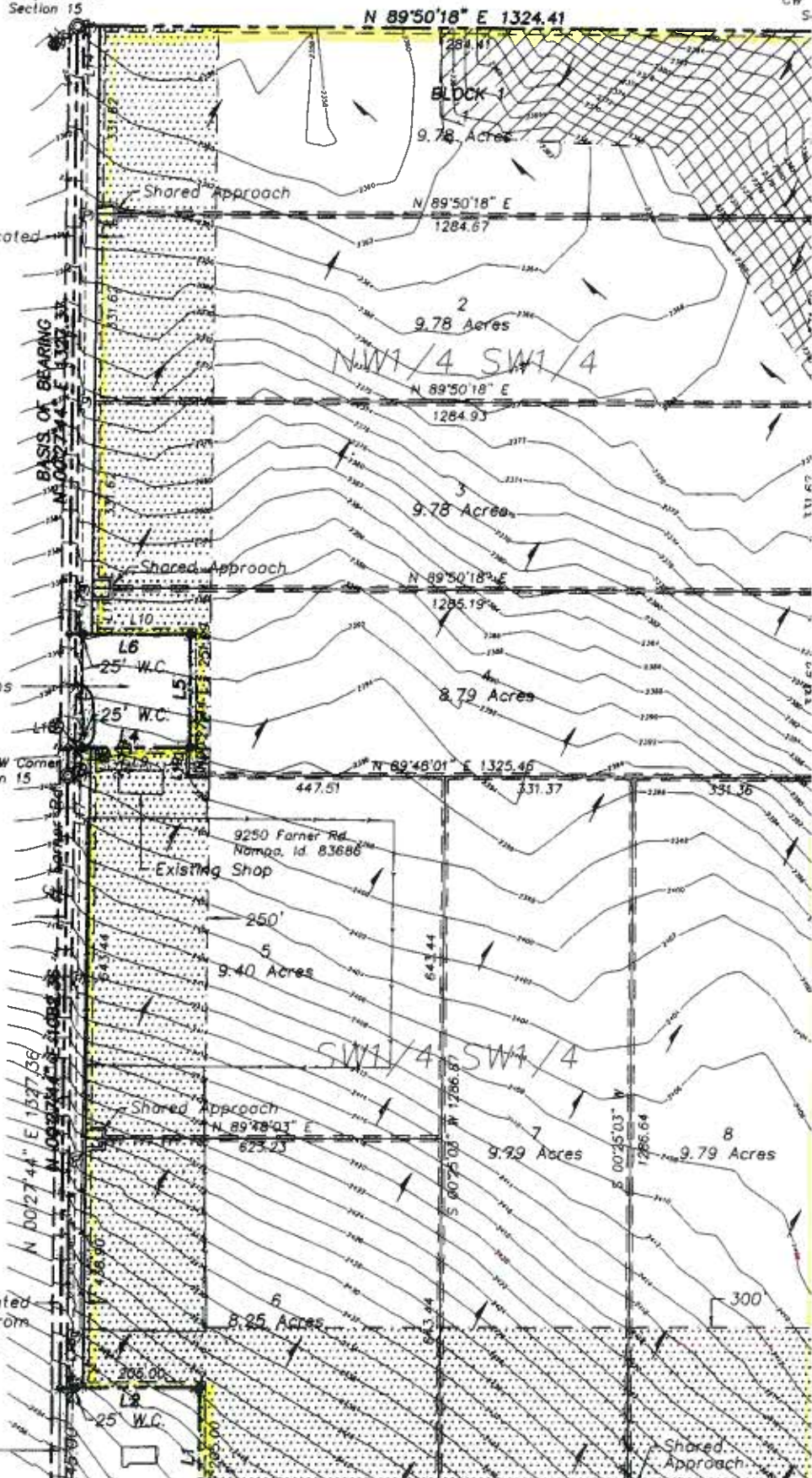
40' R/W dedicated
to the public

Donald & Kristyn Blevins
9250 Farner Rd.
Nampa, ID. 83686

Breanna Dairy
9166 Peach Rd.
Caldwell, Id. 83607

40' R/W dedicated
to the public from
centerline east

Joseph Zohn
P.O. Box 3611



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

RIGHT NUMBER: 63-33020

NAME AND ADDRESS: THERESSA ENGLUND
416 18TH AVE S
NAMPA ID 83651

SCOTT ENGLUND
416 18TH AVE S
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.790 CFS
177.700 AFY

Right Nos. 63-33010 and 63-33020 are limited to a total combined diversion rate of .79 cfs and to a total combined annual diversion volume of 177.7 AF.

PRIORITY DATE: 07/09/1973

POINT OF DIVERSION:

T02N R03W S15 SESW 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	0.790 CFS 177.70 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 R03W S15	NWSW	19.50	T02N R03W S15	SWSW	20.00
---------------	------	-------	---------------	------	-------

39.5 ACRES TOTAL

Right Nos. 63-33010 and 63-33020 are limited to the irrigation of a combined total of 39.5 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

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

This right is a split from former right 63-7825B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer 73796 within one year of the date of this approval.

This right is a split from former right 63-7825B.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

In Re SRBA	)	Water Rights: 63-7825B (Split)
	)	See Attached
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
	)	PROCEEDING

☐ Address change

☐ Substitution of Party

XX IC § 42-222 transfer

☐	Point of diversion	☐	Place of use
☐	Period of use	☐	Nature of use
XX	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 27, 2008

Signature of IDWR Representative

Splits of 63-7825B

63-33011

63-33012

63-33013

63-33014

63-33015

63-33016

63-33017

63-33018

63-33019

63-33020

CERTIFICATE OF MAILING

I certify that on June 27, 2008, 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
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

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

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

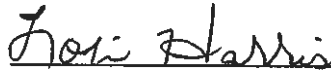
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Scott Englund
Theresa Englund
416 18th Ave. S
Nampa ID 83651

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

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 27, 2008

SCOTT ENGLUND
THERESSA ENGLUND
416 18TH AVE S
NAMPA ID 83651

Re: Water Right Nos. 63-2879, 63-7825B (Split) - 63-33002,
63-33003, 63-33004, 63-33005, 63-33006, 63-33007, 63-33008,
63-33009, 63-33010, 63-33011, 63-33012, 63-33013, 63-33014,
63-33015, 63-33016, 63-33017, 63-33018, 63-33019, 63-33020

Dear Mr. & Mrs. Englund:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was the result of approved transfers. This notification to the Court does not affect the previous approval of these transfers or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

JS:lh
Enclosures

MEMORANDUM

TO: Transfer No. 73792 thru 73800 & 74714 File

FROM: Angela Grimm

DATE: April 15, 2008

RE: Evaluation of Sufficiency of Information Submitted

These transfers propose a new point of diversion on each lot to supply water for irrigation within the Meadow Vista Ranch and the Englund parcel, as it is referred to in the applications. Adjudication rights 63-2879 and 63-7825B (Scott and/or Theresa Englund) were split in the Adjudication prior to and in order to aid in transfer processing. The adjudication rights 63-2879 and 63-7825B were split for each lot's portion of the existing P/U.

The subdivision resulting from subdividing the Englund property is known as the Meadow Vista Ranch generally located just north of Deer Flat Rd off the east side of Farner Rd southwest of Nampa. The following transfer applications provide for a new P/D and irrigation of the respective P/Us:

- App 73792 = Lot 1 Blk 1 Meadow Vista Ranch
- App 73793 = Lot 2 Blk 1 Meadow Vista Ranch
- App 73794 = Lot 3 Blk 1 Meadow Vista Ranch
- App 73795 = Lot 4 Blk 1 Meadow Vista Ranch
- App 73796 = Englund Parcel
- App 74714 = Lot 5 Blk 1 Meadow Vista Ranch
- App 73798 = Lot 6 Blk 1 Meadow Vista Ranch
- App 73799 = Lot 7 Blk 1 Meadow Vista Ranch
- App 73800 = Lot 8 Blk 1 Meadow Vista Ranch

The remainder of the water right system of parent rights 63-2879 and 63-7825B, 63-33010 and 63-33020 respectively, will be put in the water supply bank per application remarks.

Contact person for this applicant is Roxanne Brown at SPF Water Engineering.

Summary of Information Submitted

Authority to File: The applicant is the current owner on record for all rights proposed for transfer. Additionally, the applicant supplied warranty deeds with the transfer applications reconfirming ownership of the P/U proposed in the transfers. The applicant has the authority to change their own rights.

SCANNED
MAY 27 2008