

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 63-9254
Date Received: 2/5/1990
Receipt No: M005714
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARCELLA F STEWART Phone: (208)466-6996
5459 DEER FLAT RD
NAMPA ID USA 83686

JIM STEWART Phone: (208)466-6996
5459 DEER FLAT ROAD
NAMPA ID USA 83686

JOE STEWART Phone: (208)466-6996
5459 DEER FLAT RD
NAMPA ID USA 83686

2. Date of Priority: 06/22/1979

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	01W	17	NW NW SW	CANYON	

5. Description of diverting works:

7.5 HP MOTOR 10" CASING DEPTH OF 94'.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.6	291.6
STOCKWATER	1/01	12/31	0.02	0.2

7. Total Quantity Appropriated is:

0.62 C.F.S. and/or 291.8 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	01W	17	NE	SW	IRRIGATION	32
			NW	SW	IRRIGATION	35
					Section Acres	67
					Total Acres	67

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:

CHANGE IN OWNERSHIP LG 12/13/05

15. Basis of Claim: License

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

RECEIVED**OCT 26 2005**

Department of Water Resources

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 Adjudication
 Right No(s) Claim No(s) Split

_____ **63-9254** _____
 _____ **63-4664** _____

Water Adjudication
 Right No(s) Claim No(s) Split

_____ **RECEIVED**
 _____ **OCT 27 2005**
 _____ **WATER RESOURCES**
 _____ **WESTERN REGION**

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)

Gary D. Henrickson
911 E. Georgia, Nampa 83651

4. New Owner/Claimant(s)

Jim and/or Marcella and/or Joe Stewart
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

5459 Deer Flat Road

City, State and ZIP Code

Nampa, ID 83686

New Telephone Number

208 466-6996

5. Date you acquired the property

January 1999

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)

Marcella Stumm

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>FW</u>	Date <u>10/26/05</u>	Fee <u>N/A</u>
Receipted by <u>N/A</u>	Date _____	Receipt No. <u>N/A</u>
Processed by _____	AJ Date _____	WR _____ Date _____

①
3

Handwritten initials and scribbles

① 52695 INSTRUMENT NO. 9902573

WARRANTY DEED

FOR VALUE RECEIVED GARY D. HENRICKSON and JANET L. HENRICKSON, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto JIM^{J.} STEWART, MARCELLA STEWART, husband and wife and JOSEPH A. STEWART, an unmarried man

the Grantees, whose address is 5459 DEER FLAT ROAD, NAMPA, ID 83686

the following described premises, to-wit:

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1999 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: January 21, 1999

Gary D. Henrickson
GARY D. HENRICKSON

Janet L. Henrickson
JANET L. HENRICKSON

STATE OF IDAHO
COUNTY OF CANYON

On this 21 day of January, 1999, before me a notary public, personally appeared GARY D. HENRICKSON and JANET L. HENRICKSON, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

[Signature]
Notary Public
Residing at NAMPA, Idaho
My commission expires:

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN52695

[Handwritten signatures and initials]

Exhibit "A"

Northwest Quarter of the Southwest Quarter and the Northeast Quarter of the Southwest Quarter, Section 17, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM: *N1370733.02 E2298447.24*

Stewart X1

A tract of land in the Northwest Quarter of the Southwest Quarter of Section 17, Township 2 North, Range 1 West, Boise Meridian, more particularly described to wit:

COMMENCING at the Northwest corner of the Northwest Quarter of the Southwest Quarter of Section 17, Township 2 North, Range 1 West, Boise Meridian the INITIAL POINT; thence South 89° 47'30" East 359.70 feet along the North boundary of the said Northwest Quarter of the Southwest Quarter; thence

South 0° 12'30" West 142.00 feet to the centerline of a certain irrigation ditch; thence continuing

South 0° 12'30" West 7.25 feet; thence

South 39° 49'30" West 60.00 feet to the point of a 211.67 foot radius curve right; thence along the said 211.67 foot radius curve right, 171.63 feet to the POINT OF TANGENT of the said 211.67 foot radius curve right; thence

South 86° 16'30" West 172.25 feet along the said tangent to a point in the West boundary of the said Northwest Quarter of the Southwest Quarter; thence

North 283.5 feet along the said West boundary to the INITIAL POINT.

ALSO EXCEPTING THEREFROM

Stewart X2

A part of the Northwest Quarter of the Southwest Quarter, Section 17, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

N1370733.02 E2298447.24

BEGINNING at the West Quarter corner of Section 17, Township 2 North, Range 1 West, Boise Meridian, Canyon County, Idaho; thence

South a distance of 283.39 feet (platted South 283.50 feet) along the Section line to a point; the REAL POINT OF BEGINNING; thence continuing

South a distance of 120.00 feet along the Section line to a point; thence

East a distance of 200.00 feet to a point; thence

North a distance of 134.93 feet to a point; thence

Southwesterly a distance of 28.35 feet along a curve to the right having a delta angle of 7° 40'30" a radius of 211.67 feet, a tangent of 14.20 feet and a long chord of 28.34 feet that bears

South 82° 26'15" West to a point; thence

South 86° 16'30" West a distance of 172.25 feet to a point, the REAL POINT OF BEGINNING.

AND ALSO EXCEPTING THEREFROM:

N1370 104.22 E2299252 5

A tract of land in the Northeast corner of the Northeast Quarter of the Southwest Quarter, Section 17, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho.

BEGINNING at the Northeast corner of the Northeast Quarter of the Southwest Quarter, an iron pin, the TRUE POINT OF BEGINNING; thence

South 0° 12'30" West along the East boundary line of said Northeast Quarter of the Southwest Quarter a distance of 422.6 feet to an iron pin; thence

North 89° 47'30" West a distance of 773.2 feet to an iron pin; thence

North 0° 12'30" East a distance of 422.6 feet to an iron pin on the North line of the said Northeast Quarter of the Southwest Quarter; thence

South 89° 47'30" East along the North boundary line of said Northeast Quarter of the Southwest Quarter a distance of 773.2 feet to the TRUE POINT OF BEGINNING.

9902573

RECORDED

99 JAN 22 AM 11 21

G NOEL HALES

CANYON CNTY RECORDER
BY *[Signature]*

REQUEST PIONEER — NAMPA

TYPE *Deed* FEE *9.00*

8

02N01W

17

NWSW

NESW

SWSW

SESW

20

2



Idaho Department of Water Resources

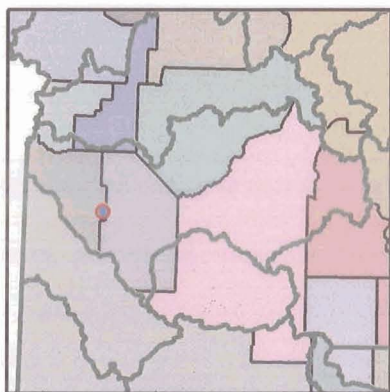
Water Right Number:

63-9254

T02N R01W

Legend

- 63-9654.shp
- GCDB02N01W GCDB
- Right POD
- Administrative BasinsAdminbas.shp



Ada County
IDWR Basin 63



Prepared by K. Walker
On Wednesday, October 26, 2005
2000 Aerial Photography

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: A63-09254
Date Received: 2/05/1990
Receipt No: 1005714
Received By: J. De

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY D. HENRICKSON 208-466-7434
Address: 3210 S. HAPPY VALLEY RD.
NAMPA, ID 83686

AND/OR

Name: JANET L. HENRICKSON 208-466-7434
Address: 3210 S. HAPPY VALLEY RD.
NAMPA, ID 83686

2. Date of Priority: JUN 22, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	17	NW	NW	SW		CANYON

5. Description of diverting works:
7.5 HP MOTOR 10" CASING DEPTH OF 94'.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		291.60
STOCKWATER	01/01	12/31	0.020		0.20

7. Total Quantity Appropriated is:
0.620 C.F.S. (and/or) 291.80 A.F.A.

8. Total consumptive use is 234.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 RANGE.

A63-09254

Page 1

Date: 02/05/90

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	17	NE	SW		IRR	32.0
			NW	SW		IRR	35.0
						Section Acres	67.0
						Total Acres	67.0

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:

SHARES IN BOISE KUNA IRR. DIST.AND A63-04664.

14. Remarks:

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 ☒ 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): Larry D. Hennickson Date: Feb 5, 1990

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of Feb. 19 90

John Dale Carson
Notary Public

Seal

Residing at Boise Id

My Commission Expires 4/2/94

05/31/2006

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

RIGHT NUMBER: 63-9254

NAME AND ADDRESS: MARCELLA F STEWART
5459 DEER FLAT RD
NAMPA ID 83686

JIM STEWART
5459 DEER FLAT RD
NAMPA ID 83686

JOE STEWART
5459 DEER FLAT RD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.620 CFS
291.800 AFY

This right when combined with Right No. 63-4664 shall provide no more than
.02 cfs per acre.

PRIORITY DATE: 06/22/1979

POINT OF DIVERSION:

T02N R01W S17 NWNWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.600 CFS 291.60 AFY
STOCKWATER	1/01 12/31	0.020 CFS 0.20 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 Within CANYON County

T02N R01W S17 NESW 32.00 T02N R01W S17 NWSW 35.00

STOCKWATER same as IRRIGATION

67 ACRES TOTAL

Right Nos. 63-4664 and 63-9254 are limited to the irrigation of a combined
total of 67 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

Stockwater use is for 10 head of cattle.

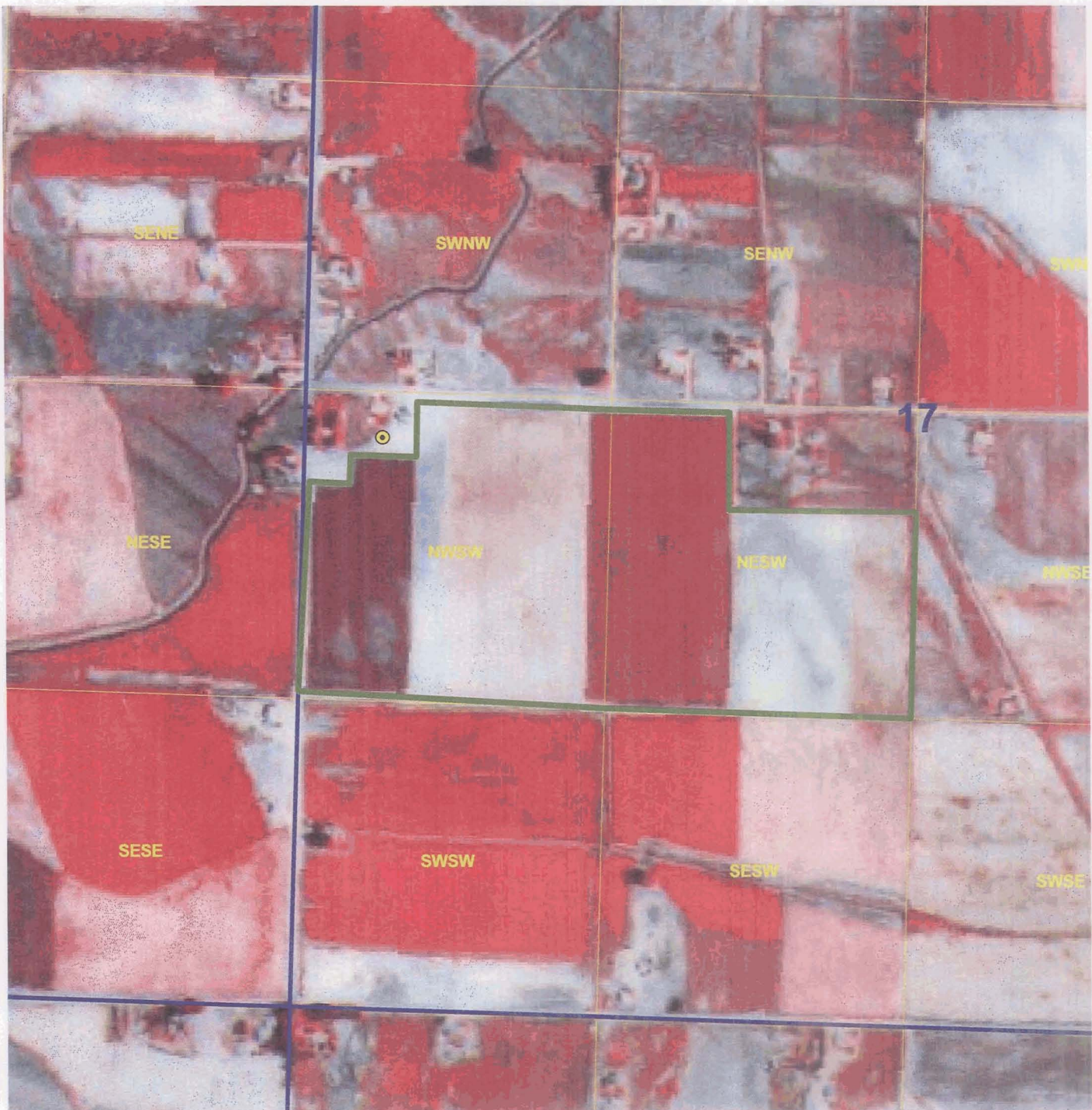
Use of this right is combined with water from Boise-Kuna Irrigation District.



Idaho Department of Water Resources

63-9254

T02N R01W S17



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

Total irrigated
acres = 67



500 0 500 Feet



IDWR

Prepared by: Sandy Egbert

Date: May 31, 2006

1987 NAAP Photography

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid 117.00
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-9254

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES☐ No change☐ Different Uses*needs shoulder remark*

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only *OK*☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)*See remarks***NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:*overlaps with wastewater right 63-4664 for 21 acres*

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: _____

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: _____

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

63-4664 overlaps this right.

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 2-6-06

FIELD EXAMINER: Sandy Egbert

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9254

01/30/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4664	Claim	02N	01W	17	NE	SW		IRRIGATION	6/21	MARCELLA F STEWART
~~9254~~	Claim	02N	01W	17	NE	SW		IRRIGATION	32/67	MARCELLA F STEWART
4664	Water Right	02N	01W	17	NE	SW		IRRIGATION	6/21	GARY D HENRICKSON
~~9254~~	Water Right	02N	01W	17	NE	SW		IRRIGATION	32/67	GARY D HENRICKSON
~~98705~~	Water Right	02N	01W	17	NE	SW		STOCKWATER		SHARON R PLAGER GARLICK
~~98705~~	Water Right	02N	01W	17	NE	SW		DOMESTIC		SHARON R PLAGER GARLICK
4664	Claim	02N	01W	17	NW	SW		IRRIGATION	15/21	MARCELLA F STEWART
~~9254~~	Claim	02N	01W	17	NW	SW		IRRIGATION	35/67	MARCELLA F STEWART
4664	Water Right	02N	01W	17	NW	SW		IRRIGATION	15/21	GARY D HENRICKSON
~~9254~~	Water Right	02N	01W	17	NW	SW		IRRIGATION	35/67	GARY D HENRICKSON
~~98725~~	Water Right	02N	01W	17	NW	SW		STOCKWATER		MARGARET JENKINS
~~98172~~	Water Right	02N	01W	17	NW	SW		DOMESTIC		ROBERT D RUNDLE
~~96018~~	Water Right	02N	01W	17	NW	SW		DOMESTIC		ROYCEE LONGSTROTH
~~98725~~	Water Right	02N	01W	17	NW	SW		DOMESTIC		MARGARET JENKINS

overlaps with 63-4664

DATE: 11/13/00
PAGE: 180

Audit: 02/05/90 CARLSON 03/30/95 POST-STD

Water Right Number - 63-09254

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
HENRICKSON

GARY D.

1 - 911 EAST GEORGIA
2 -
3 -
City- NAMPA
Phone -

State- ID Zip- 83651

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/22/1979 14 WESTERN L - LICENSE

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

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

02N 01W 17 NW SW (27) CANYON

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

01 - IRRIGATION 03/15 11/15 0.600 291.60
04 - STOCKWATER 01/01 12/31 0.020 0.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.620 291.80

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

02N 01W 17 NE SW 32.0 01 IRRIGATION (27) CANYON
02N 01W 17 NW SW 35.0 01 IRRIGATION (27) CANYON

Total Acres: 67.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - CLAIM ON 21 ACRES NESW & NWSW FROM WASTEWATER

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

09/14/95 08:16:57
Page 2

Water right number - 63-09254

Prefix Translation: WATER RIGHT

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant ~ ~ ~ +

+ - Decree Date - +

00/00/0000

-----Comments-----
 No Comments Found

+ - - Audit Fields - 04/08/85 05/01/88 CONVERT

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

Proof Due Date	- 09/01/1980	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 08/28/1979	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 04/08/1985	OLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 04/12/1982	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

Water Right Number - A63-09254

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
HENRICKSON

GARY D

1 - 3210 S HAPPY VALLEY RD

2 -
3 -

City- NAMPA

State- ID Zip- 83686

Phone - 208-466-7434

HENRICKSON

JANET L

1 - 3210 S HAPPY VALLEY RD

2 -
3 -

City- NAMPA

State- ID Zip- 83686

Phone - 208-466-7434

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/22/1979 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name

02N 01W 17 NW NW SW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.600 291.60
04 - STOCKWATER 01/01 12/31 0.020 0.20+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.620 291.80 234.5+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 01W 17 NE SW 32.0 01 IRRIGATION (27) CANYON
02N 01W 17 NW SW 35.0 01 IRRIGATION (27) CANYON

Total Acres: 67.0

+ - - Diversion Means - 7.5 HP MOTOR 10" CASING DEPTH OF 94'.

+ - - Non-Irrigation Use - S/10 RANGE.

+ - - Other Rights for Same Use - SHARES IN BOISE KUNA IRR. DIST.AND A63-04664.

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

Water right number - A63-09254

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 02/05/90 CARLSON 03/30/95 POST-STD

+ - - - - Comments - - - - - +

No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/08/1985	Old Judicial District	-
Claim Received Date	- 02/05/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M005714	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR	Notice of Error Flag	-

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9254 Priority June 22, 1979 Amount .62 cfs

THIS IS TO CERTIFY, that GARY D. HENRICKSON
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-9254 issued pursuant to Application for Permit dated June 22, 1979,
and has submitted proof to the Department of Water Resources on August 20, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .95 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>.60</u> cfs and	<u>291.6</u> acre feet	
Stockwater	from <u>January 1</u> to <u>December 31</u> at <u>.02</u> cfs and	<u>.2</u> acre feet	
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than .62 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
291.8 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 2N,
Rge. 1W, B:M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	1W	17									32	35							67

Total number of acres irrigated 67

NOTE: Modifications to or variance from this license must be made within the ltr
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

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

July, 19 81.

St. Donald Dunn
Director

*Overlaps
Wastewater
Claim 63-04664*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant GARY D. HENRICKSON Phone 466-7434

Post office address 911 East Georgia, Nampa, ID 83651

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 2N

Range 1W B.M. Canyon County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .60 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated:

a. .66 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Drilled well with pump and
distribution system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 10 inches; proposed depth of well is 100 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 2N
Range 1W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 10 head beefstock

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.

(5) If water is to be used for other purposes describe: _____

RECORDED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated 67

c. Describe any other water rights used for the same purposes as described above. Claim on 21

acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$ from wastewater.

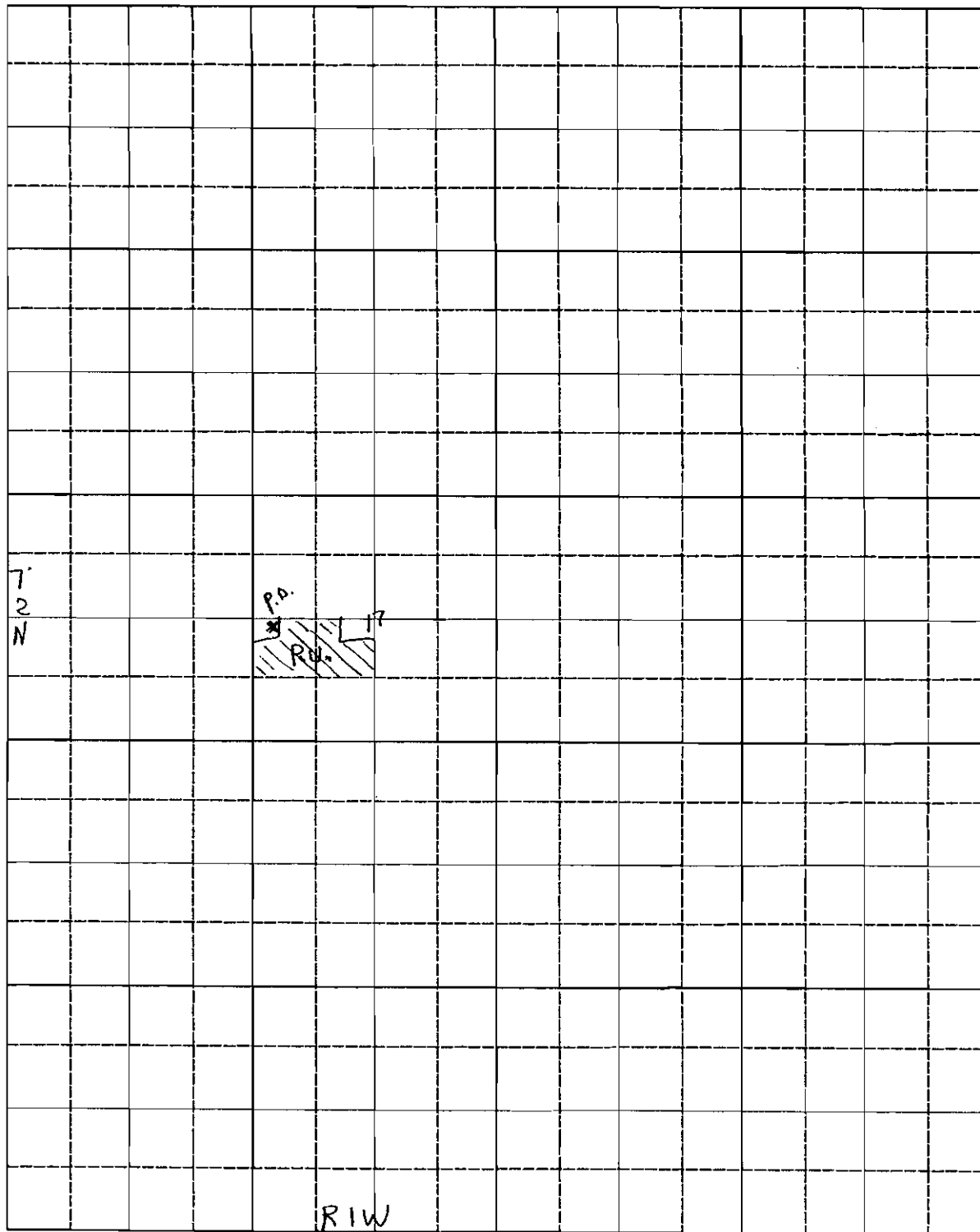
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Gay D. Hemmickson
(Applicant)

Proposed Priority 6/22/79

Received by [Signature] Date 6/22/79 Time 12 Noon

Preliminary check by N.W.H. Fee \$ 35⁰⁰/₁₀₀

Receipted by [Signature] Date 6/22/79 # 18191

Publication prepared by KK Date 6/28/79 7/5/79

Published in Idaho Free Press

Publication dates 7/5 & 7/12/79 + 7/19/79

Publication approved KK Date 7/30/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LB SS.
LAH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

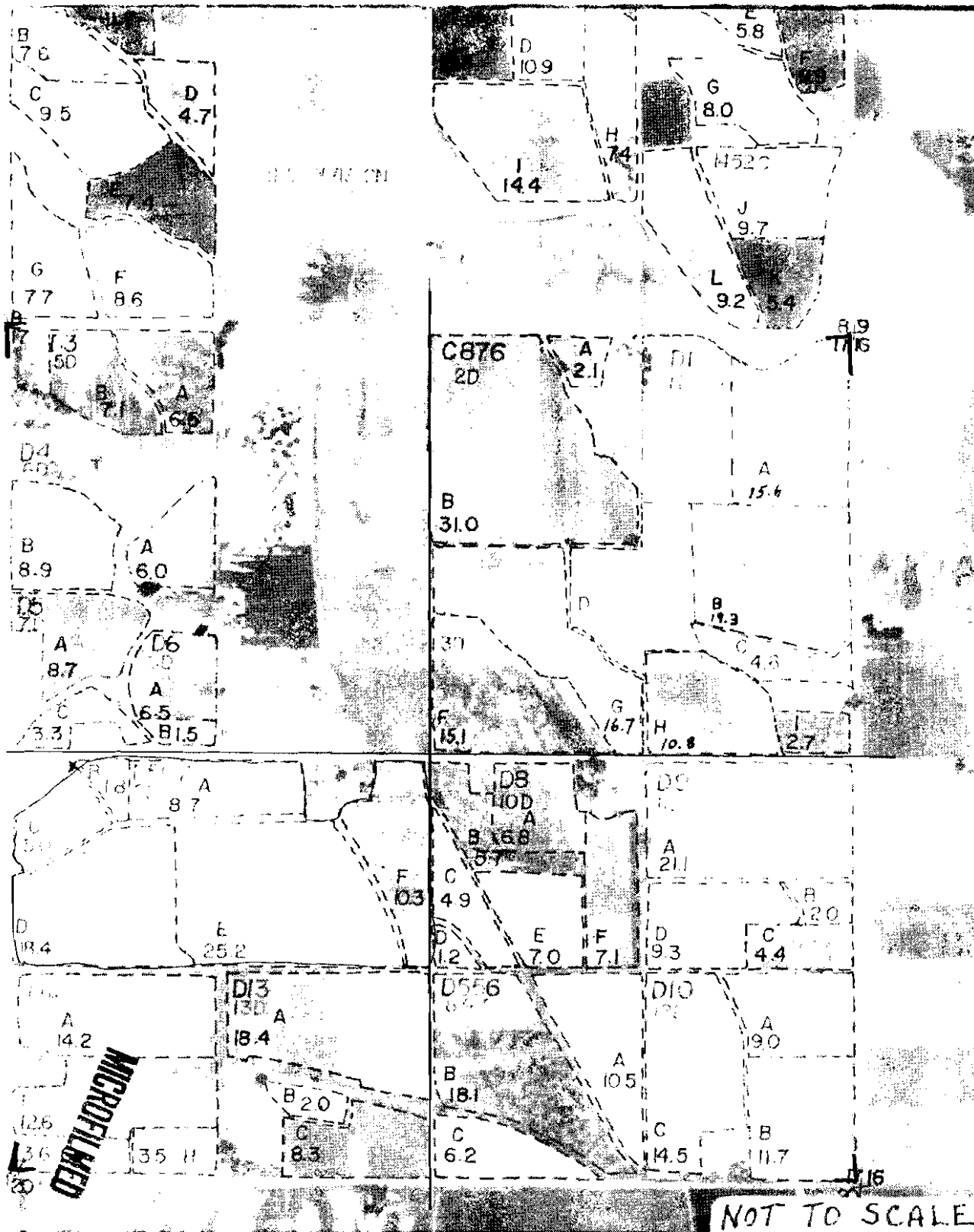
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9254, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 80.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 28th day of August, 19 79.

A. Glen Saxton
Chief, Operations Bureau



MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW SW SEC 17 T1N 2W

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
											32	36							67

Recommendations/Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examined's Signature *And E. Miller*

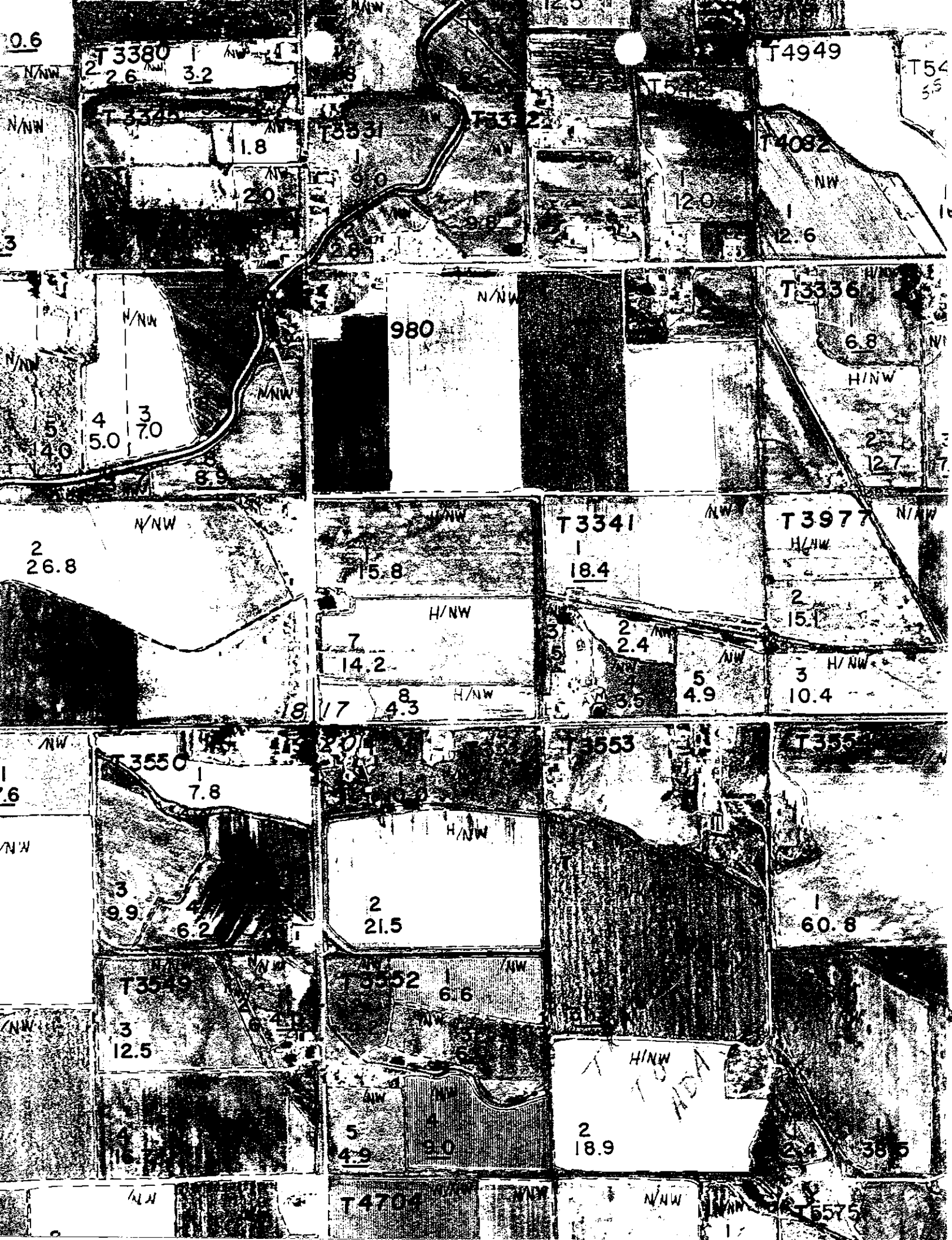
Date *18 Sept 1980*

Checked by *Q135*

Date *10/11/80*

Approved by *Polym*

Date *2/8*





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 13, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Marcella, Jim and Joe Stewart
5459 Deer Flat Rd.
Nampa, ID 83669

Notice of Claim to a Water Right No. 63-4664, 63-9254

Dear Claimant(s):

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

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure