

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: **A63-17863**
Date Received: 8/23/1989
Receipt No: W004849
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: KAY R JOHNSON
Address: 844 S CHANNEL RD
EAGLE ID

83616

208-939-6857

AND/OR

Name: ANN JOSLIN
Address: 844 S CHANNEL RD
EAGLE ID

83616

208-939-6857

2. Date of Priority: JUN 1, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	17		SE	SW		ADA

5. Description of diverting works:

DRILLED ARTESIAN WELL W/PRESSURE PUMP W/PIPELINE TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.140 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 HOUSEHOLD; S/5 HEAD

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01E	17	SE		SW		STOCK	
			SE		SW		DOMEST	
			SE		SW		IRR	5.0
							Section Acres	5.0
							Total Acres	5.0

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:
63-00382

14. Remarks:
OWNERSHIP CHANGED BY DB 1/15/99.

15. Basis of Claim: BENEFICIAL USE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED**JAN 15 1999**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 1 A63-00382 A
 Adjudication Claim No(s).: - { A63-17863 }

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Steven Arthur Latulippe & Vicki L. Latulippe

4. New Owner/Claimant(s) Kay R. Johnson & Ann Joslin
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address 844 South Channel Rd
 City, State and ZIP Code Eagle, ID 83616
 New Telephone Number (208) 939-6857

5. Date you acquired the property October 1989

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

JK 04

WARRANTY DEED

FOR VALUE RECEIVED STEVEN ARTHUR LATULIPPE AND VICKI L. LATULIPPE,
HUSBAND AND WIFE

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto KAY R. JOHNSON AND ANN
JOSLIN, HUSBAND AND WIFE

GRANTEE(S), whose current address is: 844 S. CHANNEL ROAD, EAGLE, IDAHO 83616
the following described real property in ADA County, State of Idaho,
more particularly described as follows, to wit:

As per EXHIBIT "A" attached hereto and made a part hereof
by reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) 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.

Dated:

STEVEN ARTHUR LATULIPPE

VICKI L. LATULIPPE

STATE OF IDAHO, County of ADA, ss.

On this _____ day of _____
in the year of _____, before me, the undersigned, a Notary
Public in and for said State, personally appeared _____
known or identified to me to be the person _____ whose name _____
subscribed to the within instrument, and acknowledged to me that
_____ executed the same.

Signature: _____

Name: _____
(type or print)

Residing at: _____

My commission expires: _____

STATE OF IDAHO, COUNTY OF

I hereby Certify that this instrument was filed for record at the re-
quest of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Deputy.

Fee \$

Mail to:

This form furnished courtesy of

STEWART TITLE OF IDAHO, Inc.



Handwritten initials: SJ

EXHIBIT "A"

All of that portion of the Southeast one quarter of the Southwest one quarter of Section 17, Township 4 North, Range 1 East, Boise-Meridian, more particularly described as follows:

Beginning at a point on the East line of the Southeast one quarter of the Southwest one quarter of said Section 17, which lies 330.0 feet South of the Northeast corner of said tract; thence
South 165.00 feet; thence
West 1320.00 feet or less to the West line of the Southeast one quarter of the Southwest one quarter of said Section 17; thence
North 165.00 feet to a point which lies 330.0 feet South of the Northwest corner of said tract; thence
East 1320.00 feet to THE POINT OF BEGINNING.

EXCEPT ditch and road right-of-way.

Together with an easement for ingress and egress over that certain road described in Warranty Deed dated January 4, 1922 and recorded January 25, 1922 in Book 155 of Deeds at Page 222, records of Ada County, Idaho.

Also including any and all water rights which are now existent or may become associated with said real property or with Grantors personally for the benefit of said property, including but not limited to water rights, claims, permits, or applications, whether prescriptive, statutory or otherwise, ditch rights, well rights, and all of Grantors right, title and interest in and to those certain applications made by Grantors on behalf of the subject real property with the Courts of Idaho having jurisdiction over Snake River drainage and water rights upon and about the subject property, including case numbers A-6317863, and A-6300382A, of the pending adjudications of water rights relating to said property, and Grantors warrant that such applications have been tendered or made according to law to permit diversion, use, and priority for the subject real property for sufficient ground water usage to service and provide for the domestic, irrigation, and livestock requirements heretofore exercised by Grantors and hereafter anticipated by Grantees.

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on October 27, 19 89 The grantor is Kay R. Johnson and Ann Joslin, Husband and Wife ("Borrower"). The trustee is

Stewart Title of Idaho, Inc. ("Trustee"). The beneficiary is Home Federal Savings & Loan Association of Nampa, which is organized and existing under the laws of United States of America, and whose address is 800 West State Street Boise, Idaho 83702 ("Lender").

Borrower owes Lender the principal sum of Eighty-five thousand six hundred and NO/100 Dollars (U.S. \$ 85,600.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on November 1, 2019. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in Ada County, Idaho:

All of that portion of the Southeast one quarter of the Southwest one quarter of Section 17, Township 4 North, Range 1 East, Boise-Meridian, more particularly described as follows:

Beginning at a point on the East line of the Southeast one quarter of the Southwest one quarter of said Section 17, which lies 330.0 feet South of the Northeast corner of said tract; thence South 165.00 feet; thence West 1320.00 feet or loess to the West line of the Southeast one quarter of the Southwest one quarter of said Section 17; thence North 165.00 feet to a point which lies 330.0 feet South of the Northwest corner of said tract; thence East 1320.00 feet to THE POINT OF BEGINNING.

EXCEPT ditch and road right-of-way.

Together with an easement for ingress and egress over that certain road described in Warranty Deed dated January 4, 1922 and recorded January 25, 1922 in Book 155 of Deeds at Page 222, records of Ada County, Idaho.

which has the address of 844 West South Channel Road, Eagle, Idaho 83616 ("Property Address");
[Street] [City] [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights and stock and all fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

S 00° 53' 16" W
345.37

N.1/2 N.1/2 SE1/4 SW1/4

N 89° 37' 16" E
1348.44

S 01° 09' 38" W
419.35

N 01° 09' 38" E 618.07

NORTHERLY RIGHT OF WAY LINE
S 87° 33' 30" E
1190.48

S. CHANNEL ROAD

N 66° 55' 30" E
329.25

S 88° 44' 24" W 2

SOUTH 1/4 CORNER
FD. Aluminum Cap

S 00° 53' 16" W

SOUTH LINE OF N 1/2 OF THE N 1/2
OF THE SE 1/4 OF THE SW 1/4

PARCEL 2 0.060 ACRES +/-

SET NEW PROPERTY LINE 0.5' SOUTH
OF EXISTING EAST- WEST FENCE

DETAIL

455.88
456.09

N 89° 37' 16" E
S 88° 56' 03" E

PARCEL 3 0.230 ACRES +/-

892.35
892.03

22.50
S 01° 09' 38" W

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: A63-17863

Date Received: 8/23/1989

Receipt No: W004849

Received By: EJK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVEN A. LA TULIPPE 208-939-8836
Address: 844 W. CHANNEL RD.
EAGLE, ID 83616

2. Date of Priority: JUN 01, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	17	SE	SW			ADA

5. Description of diverting works:
DRILLED ARTESIAN WELL W/PRESSURE PUMP W/PIPELINE TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD; S/5 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	17	SE	SW		STOCK	

A63-17863

Page 1

Date: 08/23/89

MICROFILMED

AUG 27 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	17	SE	SW		DOMEST	
			SE	SW		IRR	5.0
						Section Acres	5.0
						Total Acres	5.0

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:
63-00382

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Steven A. LaTulippe Date: Aug 23, 1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of Aug 19 89

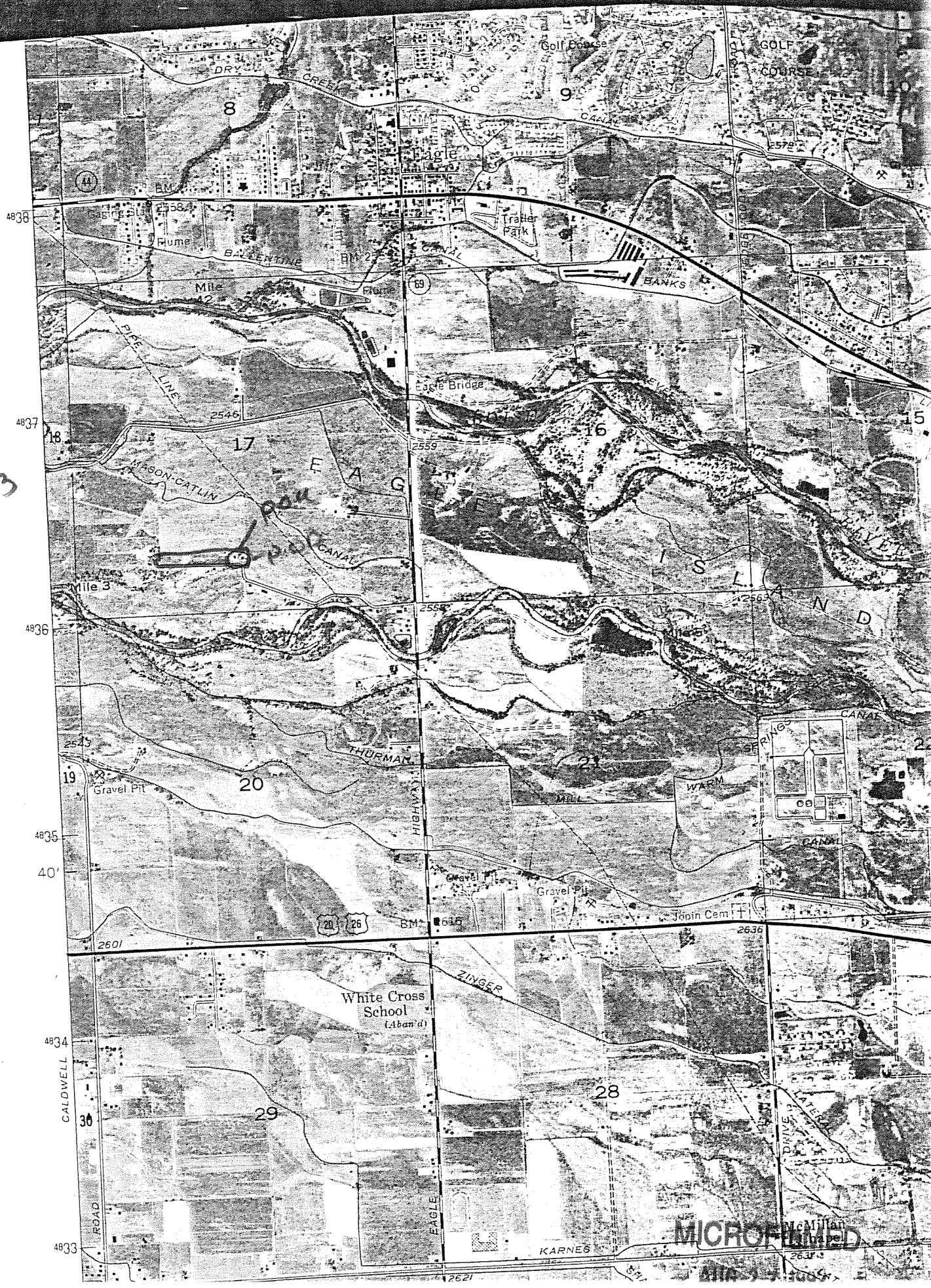
Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994



A63-
17863

T9W
R1E
S17
SESW

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-17863

WATER RIGHT NUMBER: 63-17863

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	STEVEN A LA TULIPPE 844 W CHANNEL RD EAGLE, ID 83616 (208)939-8836
Directors Report Owner	KAY R JOHNSON 1750 W WASHAM RD EAGLE, ID 83616-3746 (208)939-6857
Directors Report Owner	ANN JOSLIN 1750 W WASHAM RD EAGLE, ID 83616-3746 (208)939-6857
Current Owner	SOUTH CHANNEL LLC ✓ PO BOX 1550 EAGLE, ID 83616 (208)941-5373

Priority Date: 03/01/1963 ✓

Basis: Decreed

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

STOCKWATER ✓

DOMESTIC ✓

From To

03/01 to 11/15 ✓

01/01 to 12/31 ✓

01/01 to 12/31 ✓

Diversion Rate

0.100 CFS ✓

0.020 CFS ✓

0.020 CFS ✓

Annual Volume

22.50 AF ✓

Total Diversion:

0.140 CFS ✓

22.50 AF ✓

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4SW1/4 ✓

Sec. 17, Twp 04N, Rge 01E, B.M. ✓

ADA County

GROUND WATER

NE1/4SW1/4SW1/4 ✓

Sec. 17, Twp 04N, Rge 01E, B.M. ✓

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	17											39.0	31.0			8.0		78.0 ✓
04N	01E	20		7.0			11.0	5.0											23.0 ✓
Total Acres: 101 ✓																			

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-17863

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01E	17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01E	17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					

Conditions of Approval:

1. X27 ✓ This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season.
2. N09 ✓ The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
3. W35 ✓ Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
4. X36 ✓ Right 63-4695 is also diverted through the point of diversion described above.
5. 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.
6. ✓ Use of this right is combined with water from the Mace Catlin Ditch Company.
7. 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.
8. N14 ✓ The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
9. T09 ✓ Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
10. T07 ✓ The right holder shall accomplish the change authorized by this transfer within three years of the date of this approval.
11. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-17863

Comments:

1. kwalker 1/14/2008 POD

Comment: Updated shape

2. kwalker 1/14/2008 POU

Comment: Updated Shape

3. kwalker 1/14/2008 Conditons from Decree

Comment: 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.

PARCEL NO: S0517346700.

Stockwater use is for 5 range cattle.

4. kwalker 1/14/2008 Record Update

Comment: Updated record this day to reflect approval of Transfer 72596, approved in August of 2007.

Dates and Other Information:

Licensed Date:

Decreed Date: 4/2/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: And

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

WATER RIGHT NO. 63-17863
As Modified by Transfer No. 72596

In accordance with the approval of Transfer No. 72596, Water Right No. 63-17863 is now described as follows

Right Holder: SOUTH CHANNEL LLC
 533 E RIVERSIDE DR
 EAGLE ID 83616

Priority Date: March 01, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01 to	11/15	0.10 CFS	22.5 AF
STOCKWATER	01/01 to	12/31	0.02 CFS	
DOMESTIC	01/01 to	12/31	0.02 CFS	
			0.14 CFS	22.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NESESW Sec 17 Twp 04N Rge 01E ADA County
 GROUND WATER NESWSW Sec 17 Twp 04N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	17											39.0	31.0			8.0		78.0
04N	01E	20			7.0				11.0	5.0									23.0

Total Acres: 101

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	17												X					

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	17												X					

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within three years of the date of this approval
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. 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

WATER RIGHT NO. 63-17863
As Modified by Transfer No. 72596

CONDITIONS OF APPROVAL

- ✓5 This right is limited to the irrigation of 5 acres within the place of use described above in a single irrigation season
- ✓6 Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- ✓7 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.
- ✓8 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day
- ✓9 The quantity of water decreed for this water right for domestic and stockwater uses is not a determination of historical beneficial use
- ✓10 Right 63-4695 is also diverted through the point of diversion described above.
- ✓11 Use of this right is combined with water from Mace Catlin Ditch Co

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources

Dated this 15th day of August, 20 07



Administrator, Water Management Division

01/27/2006

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

RIGHT NUMBER: 63-17863

NAME AND ADDRESS: KAY R JOHNSON
1750 W WASHAM RD
EAGLE ID 83616-3746

ANN JOSLIN
1750 W WASHAM RD
EAGLE ID 83616-3746

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
22.50 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1963

POINT OF
DIVERSION:

T04N R01E S17 SESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.100 CFS 22.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S17 SESW 5.00

STOCKWATER Within ADA County

T04N R01E S17 SESW

DOMESTIC Within ADA County

T04N R01E S17 SESW

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

SCANNED
JAN 27 2006

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO: S0517346700.

Use of this right is combined with water from the Mace Catlin Ditch
Company.

Stockwater use is for 5 range cattle.

SCANNED

JAN 27 2006

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

Case No. 39576

Water Right: 63-382A and
63-17863

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:



Address change



Substitution of Party



IC § 42-222



Point of diversion



Place of use



Period of use



Nature of use



Split of water right



Change in ownership



Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: Jan 27, 2006

Signature of IDWR Representative

SCANNED

JAN 27 2006

CERTIFICATE OF MAILING

I certify that on January 30, 2006, 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

2. Copies to:

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

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

Ann Joslin
1750 W. Washam Rd.
Eagle, ID 83616-3746



Signature of person mailing this document

SCANNED

JAN 27 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

4N1E
RECEIVED

DEC 28 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 21, 2005

ANN JOSLIN
1750 W WASHAM RD
EAGLE ID 83616-3746

*records updated 12-30-05
NCRP done*

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #63-17863 and 63-382A

Dear Claimant:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by January 13, 2006. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

RECEIVED

JAN 20 2006

WATER RESOURCES
WESTERN REGION

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Ann Joslin
Water Right Holder's Signature

208-939-6857

Telephone No.

SCANNED

DEC 30 2005

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS

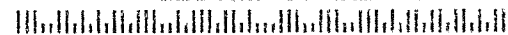


UNITED STATES POSTAGE
02 1A \$ 00.83⁰
0004310839 DEC 16 2005
MAILED FROM ZIP CODE 83702

63-17863
63-382A

JOSL844 836162024 1B04 10 12/18/05
FORWARD TIME EXP RTN TO SEND
JOSLIN' ANN
1750 W WASHAM RD
EAGLE ID 83616-3746

RETURN TO SENDER



RECEIVED

DEC 19 2005
DEPARTMENT OF
WATER RESOURCES

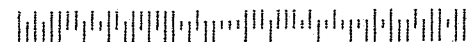
RECEIVED

JAN 20 2006

WATER RESOURCES
WESTERN REGION

ANN JOSLIN
844 S CHANNEL RD
EAGLE ID 83616

SCANNED
DEC 30 2005



63-17863

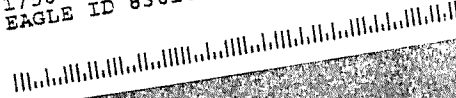
RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

JOHN844 836162010 1B04 16 06/09/05
FORM 3547
JOHNSON, KAY R
1750 W WASHAM RD ✓
EAGLE ID 83616-3746



KAY R JOHNSON
844 S CHANNEL RD
EAGLE ID 83616



First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form: 3547

fee due 70¢

U.S. POSTAL SERVICE
PS FORM 3547

09/15/2004

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

RIGHT NUMBER: 63-17863

NAME AND ADDRESS: KAY R JOHNSON
844 S CHANNEL RD
EAGLE ID 83616

ANN JOSLIN
844 S CHANNEL RD
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
22.500 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1963

POINT OF DIVERSION:

T04N R01E S17 SESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.100 CFS 22.50 AFY
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S17 SESW 5.0

STOCKWATER Within ADA County

T04N R01E S17 SESW

DOMESTIC Within ADA County

T04N R01E S17 SESW

5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

09/15/2004

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

EXPLANATORY MATERIAL: Beneficial Use

Use of this right is combined with water from the Mace Catlin Ditch Company.

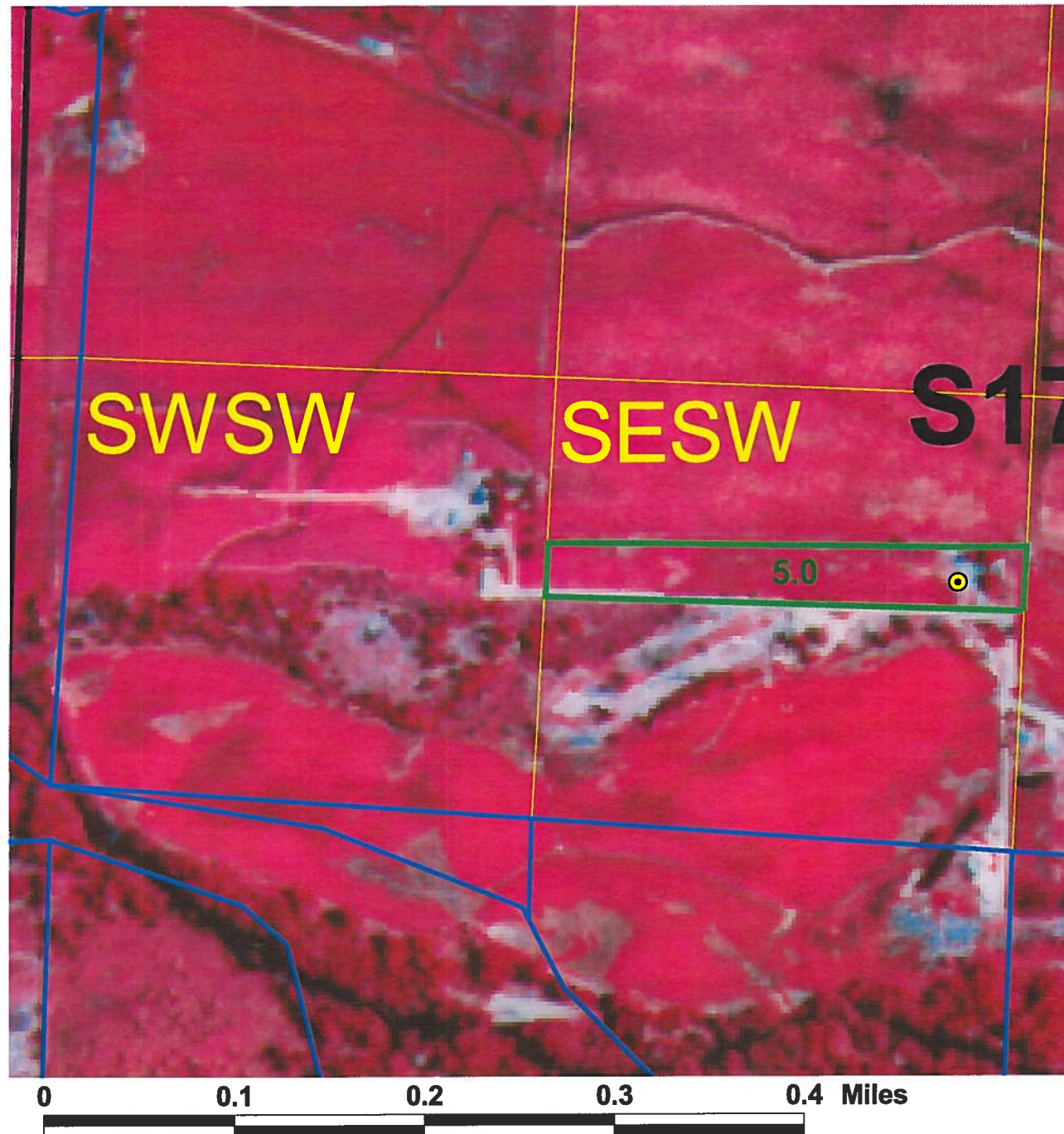
PARCEL NO: S0517346700.

Stockwater use is for 5 range cattle.

Idaho Department of Water Resources

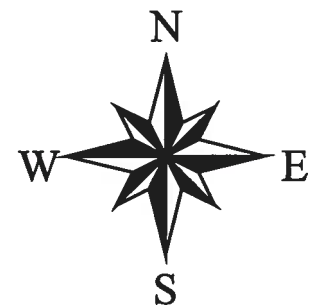
**T04N, R01E,
S17**

**Claim No: 63-17863
Prepared By: Kimberly Brown
Date: August 11, 2004**



-  Point of Diversion
-  Place of Use
-  Section Lines
-  1/4 1/4

Acres Irrigated = 5.0



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-17863

WATER RIGHT NUMBER: 63-17863 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	STEVEN A LA TULIPPE ✓ 844 W CHANNEL RD EAGLE, ID 83616 (208)939-8836
Current Owner	KAY R JOHNSON ✓ 844 S CHANNEL RD EAGLE, ID 83616 (208)939-6857
Current Owner	ANN JOSLIN ✓ 844 S CHANNEL RD EAGLE, ID 83616 (208)939-6857

Priority Date: ~~06/01/1962~~ 3/1/1963 ✓

Basis: Beneficial Use ✓

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15 to 11/15 ✓		0.100 CFS ✓	22.5 AF
STOCKWATER ✓	1/01 to 12/31 ✓		0.020 CFS ✓	
DOMESTIC ✓	1/01 to 12/31 ✓		0.020 CFS ✓	
<u>Total Diversion:</u>			0.140 CFS ✓	22.5 AFA

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4 ✓	Sec. 17, Twp 04N, Rge 01E, B.M. ✓
ADA County ✓		

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓ 04N	01E	17												5.0					5.0

Total Acres: 5 ✓

STOCKWATER ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	17												X					

ADD N09 & N 14 -

OVER →

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-17863

DOMESTIC ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01E	17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
														X					

WB5
ADD X01 - Domestic use is for 1 home & does not include irrigation of lawn/garden

Conditions of Approval:

ADD X02 - Stockwater use is for 5 range cattle.

Remarks:

ADD W - Use combined with water from Mace-Catlin Ditch Co.

1. General OWNERSHIP CHANGED BY DB 1/15/99.

Comments:

Parcel No: 80517346700.

Dates and Other Information:

Claim Received Date: 8/23/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Overlap -

~~63-194 Boise R. BW Inc. Irr.~~
63-7846 1973 GW Stock Quarter Circle
-8936 1977 GW D&S Meele, Janis (Written)
-17245 1967 GW D&S Meele, Janis (Written)

* -17863 1962 GW Dom/Inc. Johnson, Kay

DISALLOWED → ~~63-382(A) Boise R. Johnson, Kay~~

Field Exam Date 8.11.04

(in office)

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 \$50.00 (assuming Mace-Cattin Ditch Co. paid \$5.00)
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ 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 complete

Claim No(s) A63-17863

Owner: Kay R. Johnson & Ann Joslin Phone No. (208) 939-6857

Current Address: 844 S. Channel Rd. Eagle 83616

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

Accompanied by: N/A

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: 06/01/62

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

Evidence of priority was submitted that substantiates that the claimed parcel of land was being irrigated the year prior to the year that Jack Crane bought the property in 1964. Priority date was changed to start of irrigation season 1963.

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

Artesian well with pressure pump**OVERLAP REVIEW**Other water rights with the same point of diversion: None

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

WATER USES☐ No change☐ Different UsesUse Irrigation From 3/1 To _____ Amount _____ CFS 22.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Season of use is 3/1 to 11/15.**TOTAL VOLUME - Groundwater only**☒ Incomplete on claim, the total is, Amount _____ CFS 22.5 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

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: # 63-382A

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
No, 63-382A is disallowed since 63-382B covers the same land.

Delivery System Narrative: Sub. Pump with pipeline to POU.

Intrepid Engineering Services, Inc. field exam conducted 11/26/01:

Easting
Northing

Well or Diversion Identification No GPS ID #	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
<u>A0009253</u>		<u>3</u>			
<u>309578</u>					
<u>289281</u>					

FLOW MEASUREMENTS: 0.14 cfs

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Domestic use is for 1 home and does not include irrigation of lawn & garden.

Stockwater use is for 5 range cattle.

Use is combined with water from Mace-Cattin Ditch Co.

The quantity decreed for domestic and stockwater use shall not exceed 13,000 gal/day & is not a determination of ^{historical} beneficial use.

Parcel No: S0517346700.

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

> Intrepid Engineering Services, Inc.

DATE EXAM CONDUCTED: 9.15.04 (in office)

FIELD EXAMINER: Kimberly Forown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-17863

09/15/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-194	Claim	04N	01E	17	SE	SW	Boise River	IRRIGATION	10/238	B W INC
382A	Claim	04N	01E	17	SE	SW		IRRIGATION	~~5/5~~ DISALLOWED	KAY R JOHNSON
~~17863~~	~~Claim~~	~~04N~~	~~01E~~	~~17~~	~~SE~~	~~SW~~		~~IRRIGATION~~	~~5/5~~	~~KAY R JOHNSON~~
31312	Claim	04N	01E	17	SE	SW		IRRIGATION	11/23	JON W WROTEN
31313	Claim	04N	01E	17	SE	SW		IRRIGATION	2/12	MARIETTA WROTEN
-382	Water Right	04N	01E	17	SE	SW		IRRIGATION		WESLEY A MACE
9421	Water Right	04N	01E	17	SE	SW		IRRIGATION	13/35	JAMES L WROTEN
~~17863~~	~~Claim~~	~~04N~~	~~01E~~	~~17~~	~~SE~~	~~SW~~		~~STOCKWATER~~		~~KAY R JOHNSON~~
8936	Water Right	04N	01E	17	SE	SW		STOCKWATER	D+S Meek	~~JON W WROTEN~~
17245	Water Right	04N	01E	17	SE	SW		STOCKWATER	D+S Meek	~~JANIS MEEK~~
2576	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	01E	17	SE	SW		MUNICIPAL		UNITED WATER IDAHO INC
~~17863~~	~~Claim~~	~~04N~~	~~01E~~	~~17~~	~~SE~~	~~SW~~		~~DOMESTIC~~		~~KAY R JOHNSON~~
8936	Water Right	04N	01E	17	SE	SW		DOMESTIC	D+S Meek	~~JON W WROTEN~~
17245	Water Right	04N	01E	17	SE	SW		DOMESTIC	D+S	JANIS MEEK

All Separate POUs -
no overlap.

63-382A is disallowed.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-17863

09/15/2004

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source		Name
63-8936	Claim	04N	01E	17	SE	SW	D&S	GROUND WATER	1977	MARIETTA WROTEN
63-17245	Claim	04N	01E	17	SE	SW	D&S	GROUND WATER	1967	JANIS MEEK
~~63-17863~~	~~Claim~~	~~04N~~	~~01E~~	~~17~~	~~SE~~	~~SW~~		~~GROUND WATER~~		~~KAY R. JOHNSON~~
63-8936	Water Right	04N	01E	17	SE	SW	D&S	GROUND WATER	1977	JON W WROTEN
63-17245	Water Right	04N	01E	17	SE	SW	D&S	GROUND WATER	1967	JANIS MEEK

No overlap -
separate PODs;
located on land south
of POU.

*Recommended as Right no. 63-382B.

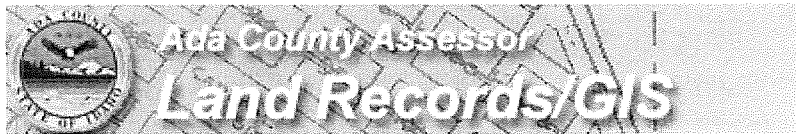
Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-382A

1. General AC. IRR.=4.5 THIS IS A SPLIT OF 63-00382.
VARIABLE FEE OVERLAP W/A63-17863.
OWNERSHIP CHANGED BY DB 1/15/99.

Comments:

**Land Records**
[\[Previous Search\]](#) [\[New Search\]](#) [\[Print View\]](#)
Property Details for Parcel S0517346700

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General Information

Property Acres: 5.000
Zone Code: A
Primary Code Area: 05-6 Tax Districts
Group Type: SECT
Subdivision: 4N 1E 17
Section: 4N1E17

Property Description

N2S2N2SE4SW4
 SEC 17 4N 1E
 #342250 R
 #8954210

Property Address

844 W SOUTH CHANNEL RD
 EAGLE, ID 83616


[Click to View Interactive Map](#)
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- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	200-RES LOT OR TRACT	5.000	\$150,000	MARKET
Primary	410-RES IMPROVEMENT	0.000	\$110,800	COST

Total Assessed Value: \$260,800

Parcel Valuation History

Assessed value for year 2004 \$260,800
Assessed value for year 2003 \$257,600
Assessed value for year 2002 \$153,600
Assessed value for year 2001 \$136,100
Assessed value for year 2000 \$136,100

Ada County Links

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Property Characteristics

Residential
 Land

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Land Records

Characteristics Detail

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Residential

Land

Residential Characteristics 1 for Parcel "S0517346700"

Occupancy Date:

Year Built:

Year Remodel:

Effective Age:

Construction Class:

Number of Bedrooms:

Number Bathrooms:

Number of Fireplaces:

Air Conditioning:

Car Storage Sq Ft #1:

Car Storage Sq Ft #2:

General Purpose Building Sq Ft:

Porch Sq Ft:

Deck Sq Ft:

Deck Covered:

Patio Sq Ft:

Patio Covered:

Pool Sq Ft:

Total Sq Ft:

Main Floor Sq Ft:

Upper Floor Sq Ft:

Finished Lower Floor Sq Ft:

Unfinished Lower Floor Sq Ft:

Finished Basement Floor Sq Ft:

Unfinished Basement Floor Sq Ft:

Finished Attic Sq Ft:

Unfinished Attic Sq Ft:

No Date Available

1970

0

0

4

4

2.5

0

N

600

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0

0

0

N

476

Y

0

1704

1164

540

0

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0

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0

0

(* Affidavit goes back to 1968 ?)

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CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-17863

March 19, 2003

Claimant Kay Johnson called in response to the second evidence of priority letter sent from the Office of the Attorney General. After I explained the letter and what was needed, Mr. Johnson said that he could talk to some neighbors; but that he would need some extra time since they aren't due back until April 1st. Therefore, I granted him two extra weeks to submit evidence.

August 8, 2003

Claimant Kay Johnson called to tell me that he has two neighbors that may be able to go back to 1962. I also suggested that he call the County Courthouse for any information. In the course of our conversation, Mr. Johnson mentioned that he purchased the property in 1989 and that he has turned into a "llama farmer;" since he now has 17 llamas and uses the water for pasture irrigation. He also stated that the area around them is being subdivided and that the water is decreasing, "disappearing."

August 11, 2004

After receiving the evidence of priority from Attorney Deborah Nelson, I realized that although the Affidavit refers to use "several years" prior, that it essentially only goes back to 1968; which is not acceptable within the mandatory filing date of 1963. Therefore, I called Ms. Nelson and left a message on her answering machine alerting her to this fact.

August 30, 2004

Attorney Deborah Nelson called to inform me that they have been doing title searches and have found that Jack Crane misdated the evidence in his Affidavit. Ms. Nelson said that Mr. Crane actually owned the property in 1964 and just "filled the Affidavit out incorrectly." Since they are having a difficult time locating the owners prior to Mr. Crane, I told Ms. Nelson that they could change the Affidavit to reflect the fact that Mr.

Crane bought the property in 1964; but that they would need to supply the title showing Mr. Crane's ownership in 1964 and that the Affidavit would need to state that Mr. Crane was aware that it was evident to him that there had been irrigation of the land the year previously.

Kimberly Brown
Senior Water Resource Agent
Western Region

GIVENS PURSLEY LLP

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

4N IE

Gary G. Allen
Christopher J. Beeson
Jessica M. Borup
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Fearnside
Jeffrey C. Fereday
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Debora K. Kristensen
Anne C. Kunkel
Franklin G. Lee

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D. David Lorello, Jr.
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John M. Marshall
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Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson

W. Hugh O'Riordan, LL.M.
Michael C. Orr
Kenneth L. Pursley
Bradley V. Sneed
H. Barton Thomas, LL.M.
Conley E. Ward
Robert B. White
Michael V. Woodhouse

James A. McClure
OF COUNSEL

Raymond D. Givens
RETIRED

DIRECT DIAL: (208) 388-1215
EMAIL: den@givenspursley.com

July 20, 2004

Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

JUL 22 2004

WATER RESOURCES
WESTERN REGION

Re: SRBA Claim No. 63-17863
Our File No. 7116-1

Dear Ms. Brown:

Enclosed is an original letter signed by Mr. Jack Crane, a former landowner of 844 W. South Channel Road, Eagle, Idaho 83616, stating his recollection of the use of water right no. 63-17863. This letter is submitted in response to your request for evidence of the priority date of development and use for this water right, as claimed by Mr. Kay Johnson. Please contact me with any questions.

Sincerely,


for Deborah E. Nelson

Encl: Original letter from Jack Crane

cc: Mike Creamer
Steve Holt
Kay Johnson

DEN:tma

S:\CLIENTS\7116\DEN to Kimberly Brown re original executed ltr from Jack Crane DOC

RECEIVED
JUL 22 2004
WATER RESOURCES
WESTERN REGION

July 1, 2004

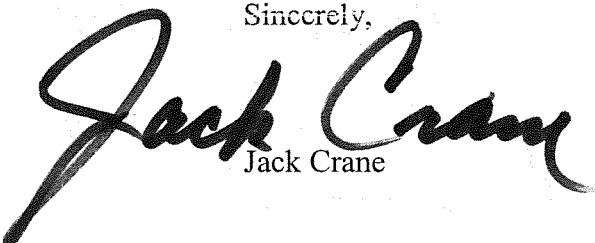
Idaho Department of Water Resources
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right Claim No. 63-17863

To Whom It May Concern:

1. My name is Jack Crane. I live at 45 Rainbow Ridge, Garden Valley, Idaho 83622.
2. The purpose of this letter is to set forth facts of which I have personal knowledge concerning the use of water from an artesian well located on Eagle Island, near the City of Meridian, Idaho, Ada County, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T4N, R1E, Boise Meridian, which property address is 844 W. South Channel Road, Eagle, Idaho, 83616 (the "Property").
3. I owned and lived on the Property approximately 1968-1973.
4. Throughout that time, I used water from the well for stockwater, drinking water, and to irrigate a five-acre pasture of hay ground. The well water was the primary source of water for irrigation, but I supplemented this with ditch water.
5. The well was in existence in its current location when I moved to the Property in 1968. At that time, the prior owner was using the well to irrigate the same five-acre pasture. I do not know when the well was installed, but it looked as though it had been there for several years because the piping was rusted.

Sincerely,


Jack Crane



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

KAY R JOHNSON OR ANN JOSLIN
844 W CHANNEL ROAD
EAGLE ID 83616

Re: SRBA Claim A63-17863

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. **If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.**

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 4, 2003

KAY JOHNSON & ANN JOSLIN
844 S CHANNEL RD
EAGLE, ID 83616

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-17863

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by October 2, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W004849	50.00	63	17863		Claim
W004849	55.00	63	382	A	Claim



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

DRILLED ARTESIAN WELL W/PRESSURE PUMP W/PIPELINE TO P.O.U.
Located at 844 S. Channel Rd.

Assumptions

Horse power, pressure head, and elevation head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

a Photos\171921a.JPG

Photos

a Photos\171921b.JPG

EPE (ft)

16 LH

Date (M/D/Y)

11/26/01

Time

15.45

Flow Rate (CFS)

0.14

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System ☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Serviv, Inc.



INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 15, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A63-00382A & A63-17863

KARL J. DREHER
DIRECTOR

Kay R Johnson
Ann Joslin
844 S Channel Rd
Eagle ID 83616

Dear Property Owners:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

GIVENS PURSLEY LLP

LAW OFFICES

601 W. Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

September 13, 2004

Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: SRBA Claim No. 63-17863
Our File No. 7116-1

Dear Ms. Brown:

Enclosed please find an original letter signed by Mr. Jack Crane, a former landowner of 844 W. South Channel Road, Eagle, Idaho 83616, stating his recollection of the use of water on the property. Also enclosed are copies of property deeds showing Mr. Crane's ownership of the property from 1964-1973. This information is provided in support of SRBA Claim No. 63-17863 filed by Mr. Kay Johnson.

The enclosed letter revises Mr. Crane's earlier letter to the Department dated July 1, 2004. After reviewing the property deeds, Mr. Crane recollected that he bought and moved onto the property in 1964, not 1968. In both letters, Mr. Crane states that both he and the prior landowner used the well to irrigate a five-acre parcel.

Based on our recent phone conversation, I understand that the enclosed letter and supporting property deeds will serve as sufficient evidence of the priority date of development and use for you to recommend Mr. Johnson's beneficial use claim for the irrigation of five acres. If this is not the case, please contact me immediately.

Please contact me with any questions.

Sincerely,



Deborah E. Nelson

Encl: Original Letter from Jack Crane dated August 31, 2004

cc: Mike Creamer
Steve Holt
Kay Johnson

DEN:kdt S:\CLIENTS\7116\DEN to Kimberly Brown re original executed ltr from Jack Crane DOC

RECEIVED

SEP 14 2004

WATER RESOURCES
WESTERN REGION

Gary G. Allen
Kelly T. Barbour
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Feamside
Jeffrey C. Fereday
Steven J. Hippler
Karl T. Klein
Debora K. Kristensen
Anne C. Kunkel
Jeremy G. Ladle
Franklin G. Lee

David R. Lombardi
D. David Lorello, Jr.
Emily A. MacMaster
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
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Conley E. Ward
Robert B. White
Michael V. Woodhouse

James A. McClure
OF COUNSEL

Raymond D. Givens
RETIRED

RECEIVED

SEP 14 2004

WATER RESOURCES
WESTERN REGION

August 31, 2004

Idaho Department of Water Resources
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right Claim No. 63-17863

To Whom It May Concern:

1. My name is Jack Crane. I live at 45 Rainbow Ridge, Garden Valley, Idaho 83622.

2. The purpose of this letter is to set forth facts of which I have personal knowledge concerning the use of water from an artesian well located on Eagle Island, near the City of Meridian, Idaho, Ada County, in the SE¼SW¼ of Section 17, T4N, R1E, Boise Meridian, which property address is 844 W. South Channel Road, Eagle, Idaho, 83616 (the "Property").

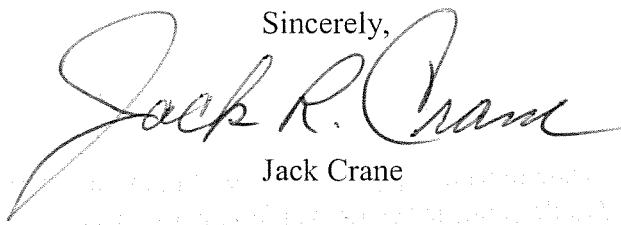
3. In an earlier letter to the Department I stated that I had owned and lived at the Property approximately 1968-1973. After reviewing the deeds for the Property, I now realize that my earlier recollection of having bought the property in 1968 was in error.

4. I owned and lived at the Property from the time I bought it on April 30, 1964 until I sold it on August 30, 1973. The deeds showing these dates of ownership are submitted with this letter. Indeed, I recall the 1964 timeframe as correct now because that is just after I returned from my military service.

5. Throughout the time that I lived at the Property, I used water from the well for stockwater, drinking water, and to irrigate a five-acre pasture of hay ground. The well water was the primary source of water for irrigation, but I supplemented this with ditch water.

6. The well was in existence in its current location when I bought the Property in April 1964. At that time, the prior owner was using the well to irrigate the same five-acre pasture. I do not know when the well was installed, but it looked as though it had been there for several years because the piping was rusted.

Sincerely,



Jack Crane

WARRANTY DEED

69 384

For Value Received

D. J. FRAZIER and EDITH FRAZIER, husband and wife,

the grantor s. do hereby grant, bargain, sell and convey unto

JACK R. CRANE, a single man,

the grantee, the following described premises, in Ada County Idaho, to wit:

All that portion of the Southeast Quarter of the Southwest Quarter of Section 17, Township 4 North, Range 1 East, B.M., more particularly described as follows:

Beginning at a point on the East line of the Southeast Quarter of the Southwest Quarter of said Section 17, which lies 330.0 feet South of the Northeast corner of said tract; thence South 165.0 feet; thence West 1320.0 feet, more or less, to the West line of the Southeast Quarter of the Southwest Quarter of said Section 17; thence North 165.0 feet to a point which lies 330.0 feet South of the Northwest corner of said tract; thence East 1320.0 feet to the point of beginning,

Subject to the right of way of the road along the Southerly line of the above described lands.

Together with an easement for ingress and egress over that certain road described in Warranty Deed dated January 4, 1922, recorded January 25, 1922 in Book 155 of Deeds at Page 222, records of Ada County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances except taxes for the year 1964,

and that they will warrant and defend the same from all lawful claims whatsoever

Dated: April 30, 1964

STATE OF IDAHO, COUNTY OF ADA

On this day of May, 1964, before me, a Notary Public in and for the State of Idaho, personally appeared

D. J. FRAZIER and EDITH FRAZIER, husband and wife,

known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

WARRANTY DEED

For Value Received JACK R. CRANE and DIANE E. CRANE, husband and wife,

the grantor(s), do hereby grant, bargain, sell and convey unto CLOYD H. DERRY and PEGGY A. DERRY, Eagle, Idaho,

the grantees, the following described premises, _____

All that portion of the Southeast Quarter of the Southwest Quarter of Section 17, Township 1 North, Range 1 East, Boise Meridian, more particularly described as follows:

Beginning at a point on the East line of the Southeast Quarter of the Southwest Quarter of said Section 17, which lies 330.0 feet South of the Northeast corner of said tract; thence South 125.0 feet; thence West 1170.0 feet, more or less, to the West line of the Southeast Quarter of the Southwest Quarter of said Section 17; thence North 107.0 feet to a point which lies 330.0 feet South of the Northwest corner of said tract; thence East 1320.0 feet to the POINT OF BEGINNING

EXCEPT road right-of-way along the Southerly boundary of said land;

Together with an easement for ingress and egress over that certain road described in Warranty Deed dated January 4, 1922, recorded January 25, 1922, in Book 155 of Deeds at Page 222, records of Ada County, Idaho;

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

subject to all easements and rights of way of record or appearing on the land.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises, that said premises are free from all incumbrances, except current taxes and assessments for the year 1973,

and that he will warrant and defend the same from all lawful claims whatsoever.
Dated August 30, 1973.

Jack R. Crane
Diane E. Crane

STATE OF IDAHO, COUNTY OF ADA
On this 31 day of August, 1973
before me, a Notary Public in and for said State, personally appeared

JACK R. CRANE and DIANE E. CRANE, husband and wife,

known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

I, _____, Notary Public for said State, do hereby certify that the foregoing instrument was duly executed by the said parties before me on the day and date first above written.

My commission expires _____
Notary Public for the State of Idaho

STATE OF IDAHO, COUNTY OF ADA
I hereby certify that this instrument was filed for record at the request of BENJAMIN H. HALL

at _____ minutes past 4 o'clock P.M.
this 31st day of August, 1973, in my office, and it is recorded in Book _____ of Deeds at page _____

CLARENCE A. PLANTIER
County Clerk

C. Martin
Deputy

Eagle, Idaho