

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: A63-04819
Date Received: 3/ 5/1990
Receipt No: W010431
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ED FRANK 208-337-4335
Address: 26315 RIVERVIEW RD.
WILDER, ID 83676

AND

Name: MIRLE FRANK 208-337-4335
Address: 26315 RIVERVIEW RD.
WILDER, ID 83676

2. Date of Priority: MAR 1, 1968

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	10	NW	NE		1	CANYON

5. Description of diverting works:
PIPELINE, PUMPS & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	10	NW	NE	1	IRR	1.0
Section Acres							1.0
Total Acres							1.0

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:

14. Remarks:

AC. IRR.= 1/3

15. Basis of Claim: STATUTORY CLAIM

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

Identification No. A63-4819Date Received 3/5/90Receipt Number 41010431

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) ED & Mirabe FRANK Phone (208) 357-4335
Mailing Address 26315 Riverwood RD Zip 83676

2. Date of Priority (Only one per claim) _____ Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) Spring
which is tributary to (b) SNAKE River
Name or kind of source

4. Location of point of diversion is: Township 3 N Range 5 W
Section 10 1/4 of NE 1/4 of NE 1/4, Govt. Lot 1, BM.,
County of CANYON

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 45 HP motor with 12" Pipeline to Sprinkler System
(Over flow is caught) 7 HP motor with 3" Pipeline
pumps water to house directly from spring

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1 to Dec 31 amount 0.04 (cfs)
(Both dates are inclusive)
For Irrigation purposes from Mar 15 to Nov 15 amount 0.03

7. Total quantity claimed 0.07 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) D/I LAWA

MICROFILMED

AUG 20 1992

10. Place of use is: Township: 3 N Range S W
Section 10, NW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock, Domestic and Stock
Additional places of use, if any irrigation

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or irrigation Bo

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Ed Frank Date 2-16-90

Marie Frank Date 2-16-90

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 5 day of March 19 90

SEAL

Notary Public Bruce A. Smith

Residing at Boise, Idaho

My Commission Expires 4/11/91

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

AUG 20 1992

Water Right Number - 63-04819

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

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

*** C - CURRENT OWNER ***
FRANK

ED

1 - RT. 1

2 -

3 -

City- WILDER

Phone -

1 - RT. 1

2 -

3 -

City- WILDER

Phone -

State- ID Zip- 83676

State- ID Zip- 83676

MIRLE

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/01/1968 14 S - STATUTORY CLAIM+ - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRING SNAKE RIVER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

03N 05W 10 NW NE 1 (27) CANYON

+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume

01 - IRRIGATION

43 - DOMESTIC

03/15

01/01

11/15

12/31

0.030

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.070

+ - - - - - - - - - - - Place of Use - - - - - Description County

03N 05W 10 NW NE 1 1.0 01 IRRIGATION (27) CANYON

Total Acres: 1.0

+ - - Diversion Means - PIPELINE, PUMPS & SPRINKLERS

+ - - Non-Irrigation Use - D/I HOME

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
AC. IRR.= 1/3

MICROFILMED

AUG 20 1992

[illegible]

MICROFILMED
AUG 20 1992

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

RIGHT NUMBER: 63-4819

NAME AND ADDRESS: BRANDON ROUNTREE
10402 NE 85TH CIRCLE
VANCOUVER WA 98662

KRISTEN ROUNTREE
10402 NE 85TH CIRCLE
VANCOUVER WA 98662

~~MIRLE FRANK~~
~~ED FRANK~~
~~26315 RIVERVIEW RD~~
~~WILDER ID 83676~~

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1968

POINT OF DIVERSION:

T03N R05W S10 SWNWNE Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------|----------------------|-----------------|
| DOMESTIC | 01/01 12/31 | 0.040 CFS |
| Domestic use is for 1 home. | | |

PLACE OF USE: DOMESTIC in CANYON County

T03N R05W S10 Lot 1 NWNE

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. 6R074820200000

**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 Rights: 63-4819

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

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

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

DATED: December 21, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 21, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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

2. Copies to:

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

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

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

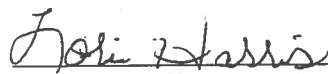
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Brandon Rountree
Kristen Rountree
10402 NE 85th Circle
Vancouver WA 98662

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

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 21, 2007

BRANDON ROUNTREE
KRISTEN ROUNTREE
10402 NE 85TH CIRCLE
VANCOUVER WA 98662

Re: Water Right No. 63-4819

Dear Mr. & Mrs. Rountree:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

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

RECEIVED

DEC 17 2007

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water
Right No(s). | Adjudication
Claim No(s). | Split | Water
Right No(s). | Adjudication
Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 63-4819 | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *N/A*
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s)

Tom Pearson & Michael Pearson

4. New Owner/Claimant(s)

Brandon Rantree & Kristen Rantree

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

10402 NE 85th Circle

City, State and ZIP Code

Vancouver, WA. 98663

New Telephone Number

(360) 253-7281

5. Date you acquired the property

May 26th 2006

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 63-4819

| Water Use | Diversion Rate or Volume
(cubic feet per second or acre-feet per annum) | Description
(acres, number and type of stock, homes, etc) |
|-------------|--|--|
| Irrigation | _____ | _____ |
| Stock | _____ | _____ |
| Domestic | _____ | _____ |
| Other _____ | _____ | _____ |
| Total | _____ | _____ |

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

| Water Use | Diversion Rate or Volume
(cubic feet per second or acre-feet per annum) | Description
(acres, number and type of stock, homes, etc) |
|-------------|--|--|
| Irrigation | _____ | _____ |
| Stock | _____ | _____ |
| Domestic | _____ | _____ |
| Other _____ | _____ | _____ |
| Total | _____ | _____ |

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



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

For Office Use Only

Received by [Signature] Date 12-17-07 Fee N/A
 Received by [Signature] Date 12-17-07 Receipt No. _____
 Processed by [Signature] AJ Date 12-17-07 WR _____ Date _____

A

INSTRUMENT NO.

200641594



Pioneer Title Co.

GOING BEYOND

610 South Kimball Avenue / Caldwell, Idaho 83605 / (208) 459-1651

WARRANTY DEED

For Value Received Terri Pearson and Michael R. Pearson, ~~husband and wife~~ and husband

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Brandon Rountree and Kristen Rountree, husband and wife

hereinafter referred to as Grantee, whose current address is 10402 NE 85th Circle, Vancouver, WA 98662.

the following described premises, to-wit:

Lot 20, RIVER VIEW SUBDIVISION NUMBER TWO, Canyon County, Idaho, according to the plat of said Subdivision filed January 14, 1949 in Book 3 of Plats at Page 37, in the office of the County Recorder, Canyon 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 Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 26, 2006

Terri Pearson

Michael R. Pearson

State of IDAHO

SS.

County of CANYON

On this 25TH day of MAY, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared TERRI PEARSON AND MICHAEL R. PEARSON known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL
JILL FARWELL

(SEAL)

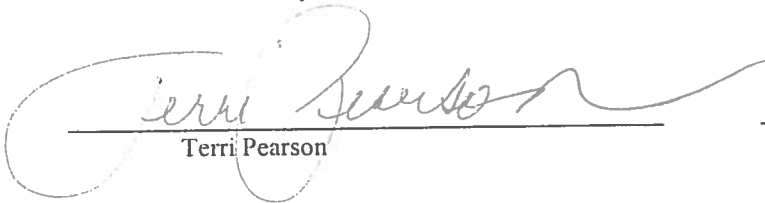
hereinafter referred to as Grantee, whose current address is 10402 NE 85th Circle, Vancouver, WA 98662.

the following described premises, to-wit:

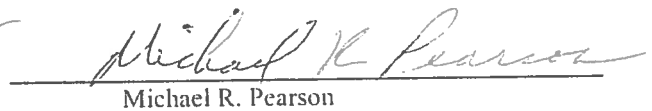
Lot 20, RIVER VIEW SUBDIVISION NUMBER TWO, Canyon County, Idaho, according to the plat of said Subdivision filed January 14, 1949 in Book 3 of Plats at Page 37, in the office of the County Recorder, Canyon County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 26, 2006



Terri Pearson



Michael R. Pearson

State of IDAHO

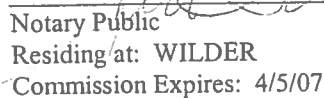
ss.

County of CANYON

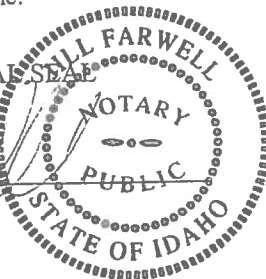
On this 25TH day of MAY, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared TERRI PEARSON AND MICHAEL R. PEARSON known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)



Notary Public
Residing at: WILDER
Commission Expires: 4/5/07







200641594



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 30, 2007

BRANDON ROUNTREE
KRISTEN ROUNTREE
10402 NE 85TH CIR
VANCOUVER WA 98662

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-4819

Dear Mr. & Mrs. Rountree:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

LH:1
Enclosures

REAL PROPERTY INQUIRY

```
+++++
01 6R25925-000- -0 078-00 SCH370+ 15 55,500 .35
+++++
ROUNTREE BRANDON +
ROUNTREE KRISTEN +
+
+
+
10402 NE 85TH CIR +
VANCOUVER WA 98662 +
+++++
10-3N-5W NE RIVERVIEW SUB #2 7482 + TOTAL 121,700
TRACT 20 +
+ SURVEY INST 9941197
+ DRAIN DR VALUE APPR SAM
+ CLASS R2 REAP 06 MAN 00 UNIT 1
26315 RIVERVIEW RD, WI Pg 153 + PARCEL 6R074820200000 H/O N C/B N
+ PRIOR ACCOUNT 5R25925-000- -0
+ 02 MH on Property NO
MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

01 ACCOUNT: 6R25925-000- -0 AREA 078-00 DRAIN VALUE CLASS R2 H/O N
SEC 10 TWN 3N RNG 5W QTR NE CITY/SUB 07482 BLK 020 LOT 0000
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
PEARSON, TERRI FRANK, THURMAN EDWARD
& PEARSON, MICHAEL R W/H

MAILING ADDRESS LEGALS
10402 NE 85TH CIR 10-3N-5W NE RIVERVIEW SUB #2 7482
VANCOUVER WA 98662 TRACT 20
SITE ADDRESS
26315 RIVERVIEW RD WI
COMMENTS REMARKS
PRIOR ACCOUNT 5R25925000 0 751894, DEATH CERT-MIRLE 9943090
PARCEL 074820200000 SRVY 9941197
INSTR 9941197 ACRES .35
SPLIT YR DOCUMENT DD
```

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

ADDRESS SERVICE
REQUESTED



RECEIVED

FEB 05 2007

WATER RESOURCES
WESTERN REGION



WILE FRANK

UTF

ED FRANK
26315 RIVERVIEW RD
WILDER ID 83756

Brandon Rountree
Kristen Rountree
10402 NE 85th Cir
Vancouver WA 98662

63-4819



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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



RECEIVED

OCT 18 2005

WATER RESOURCES
WESTERN REGION

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD
MIRLE FRANK
ED FRANK
25315 RIVERVIEW RD
WILDER ID 83476

UTP

63-4819



04/17/2006

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

RIGHT NUMBER: 63-4819

NAME AND ADDRESS: MIRLE FRANK
26315 RIVERVIEW RD
WILDER ID 83676

ED FRANK
26315 RIVERVIEW RD
WILDER ID 83676

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1968

POINT OF DIVERSION:

T03N R05W S10 NWNE Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------|----------------------|-----------------|
| DOMESTIC | 01/01 12/31 | 0.040 CFS |
| Domestic use is for 1 home. | | |

PLACE OF USE: DOMESTIC Within CANYON County

T03N R05W S10 Lot 1 NWNE

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. 6R074820200000

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4819

WATER RIGHT NUMBER: 63-4819

Owner Type Name and Address
 Current Owner MIRLE FRANK
 26315 RIVERVIEW RD
 WILDER, ID 83676
 (208)337-4335
 Current Owner ED FRANK
 26315 RIVERVIEW RD
 WILDER, ID 83676
 (208)337-4335

*Pearson - in office review -
 4-17-04*

Priority Date: 03/01/1968

Basis: ~~Statutory Claim~~ *B/U*

Status: Active

Source

SPRING ✓

Tributary

SNAKE RIVER ✓

Beneficial Use

DOMESTIC ✓

From To

1/01 to 12/31 ✓

Diversion Rate

0.040 CFS ✓

Annual Volume~~IRRIGATION~~~~3/15 to 11/15~~~~0.030 CFS~~*out*Total Diversion:

0.070 CFS

Location of Point(s) of Diversion

SPRING

CANYON County

10 ac tract
 L1 (NW1/4NE1/4)

Sec. 10, Twp 03N, Rge 05W, B.M.

Place of Use~~IRRIGATION~~*Dom*

*cannot determine
 10 ac tract since
 in a gov't lot.
 → could be SW1/4 NW1/4 NE1/4*

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|-----------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 03N | 05W | 10 | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | 1.0 |
| | | | | <i>L1</i> | | | | | | | | | | | | | | | |

~~Total Acres: 1~~~~DOMESTIC same as IRRIGATION~~Conditions of Approval

1.

AC. IRR. = 1/3

Remarks:Comments:

*claimant only paid
 \$25.00 for this claim -
 Rec. as all under
 domestic use (< 1/2 ac.)*

Parcel # 6R0748202000000

REAL PROPERTY INQUIRY

+++++

01 6R25925-000- -0 078-00 SCH370+ 15 45,000 .35

+++++ 37 64,100

PEARSON, TERRI +

& PEARSON, MICHAEL R W/H +

+

+

+

PO BOX 974 +

HOMEDALE ID 83628 +

+++++

10-3N-5W NE RIVERVIEW SUB #2 7482 + TOTAL 109,100 .35

TRACT 20 ++++++

+ SURVEY INST 9941197

+ DRAIN DR VALUE APPR SAM

+ CLASS R2 REAP 01 MAN 00 UNIT 1

26315 RIVERVIEW RD, WI Pg 153 + PARCEL 6R074820200000 H/O N C/B N

+ PRIOR ACCOUNT 5R25925-000- -0

+ 02 MH on Property NO

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R25925000 0 UNIT 001 TOTAL UNITS 1

SITE 26315 RIVERVIEW RD WI SEC/TWN/RNG 10-3N-5W

ASSESSED VALUE 109,100 ACREAGE .35

SUB/PARK NAME RIVERVIEW SUB #2 YEAR/MAKE

CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK

+++++

YR BUILT 1930 AIR COND AIR - NONE CARPORT N

STORY 1 STORY HEATING CHIMNEY HEAT CARPORT SQ FT

FIRST SQ FT 1348 EXTERIOR ALUMINUM DECK/PATIO? Y

SECOND SQ FT ROOF COMP POOL? N

BEDS 3 BSMT SQ FT SPA? N

BATHS 1.00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE A2 NEIGHBORHOOD 0

GARAGE SQ FT 576

+++++

COMMENTS GPB 21X25/MPS 10X14 MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

Receipt Details for ID W010431

| Status | Adjustment Type | Version |
|--------|---------------------|---------|
| | Water Right Receipt | 1 |

General Information:

| Date Received | Date Deposited | Region | Total Amount | Payment Type |
|----------------------|-----------------|---------|--------------|--------------|
| 3/5/1990 10:12:18 AM | 3/5/1990 | Western | \$25.00 | Check |
| Payer | FRANK, ED/MIRLE | | | |

Account Information:

| Check # | Account # | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 539 | | | |
| Card Expiration Date | Credit Card Transaction # | | |
| | | | |

Comment ADJUDICATION FEE**Fee Detail:**

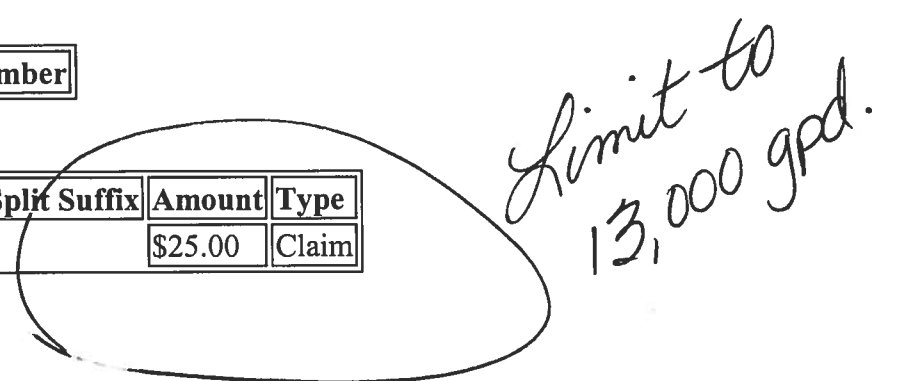
| Amount | Description | PCA | Fund | Fund Detail | Subsidiary | Object |
|---------|------------------|--------|------|-------------|------------|--------|
| \$25.00 | ADJUDICATION FEE | 410162 | 9337 | 00 | | 6490 |

Refund(s):

| Amount | Payee | Date | Document Number |
|--------|-------|------|-----------------|
|--------|-------|------|-----------------|

Water Right Information:

| Basin Number | Sequence Number | Split Suffix | Amount | Type |
|--------------|-----------------|--------------|---------|-------|
| 63 | 4819 | | \$25.00 | Claim |


Print Report*Limit to
13,000 gpd.*

DEPENDENT RESURVEY AND SUBDIVISION OF SECTIONS

N. 89° 39' W.



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4819

WATER RIGHT NUMBER: 63-4819

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|--|
| Current Owner | MIRLE FRANK
26315 RIVERVIEW RD
WILDER, ID 83676
(208)337-4335 |
| Current Owner | ED FRANK
26315 RIVERVIEW RD
WILDER, ID 83676
(208)337-4335 |

Priority Date: 03/01/1968

Basis: Statutory Claim

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SPRING | SNAKE RIVER |

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------|-----------------------|----------------------|
| IRRIGATION | 3/15 | 11/15 | 0.030 CFS | |
| DOMESTIC | 1/01 | 12/31 | 0.040 CFS | |
| | <u>Total Diversion:</u> | | 0.070 CFS | |

Location of Point(s) of Diversion

| | | |
|---------------|-----------------|---------------------------------|
| SPRING | L1 (NW1/4NE1/4) | Sec. 10, Twp 03N, Rge 05W, B.M. |
| CANYON 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 | |
| 03N | 05W | 10 | | 1.0 | | | | | | | | | | | | | | | 1.0 |
| | | | | L 1 | | | | | | | | | | | | | | | |

Total Acres: 1

DOMESTIC same as IRRIGATIONConditions of Approval:

1. AC. IRR.= 1/3

Remarks:Comments:

Idaho Department of Water Resources

Claim Number: 63-04819

Legal: T03N, R05W, S10

Reviewed By:

● Point of Diversion



Place of Use

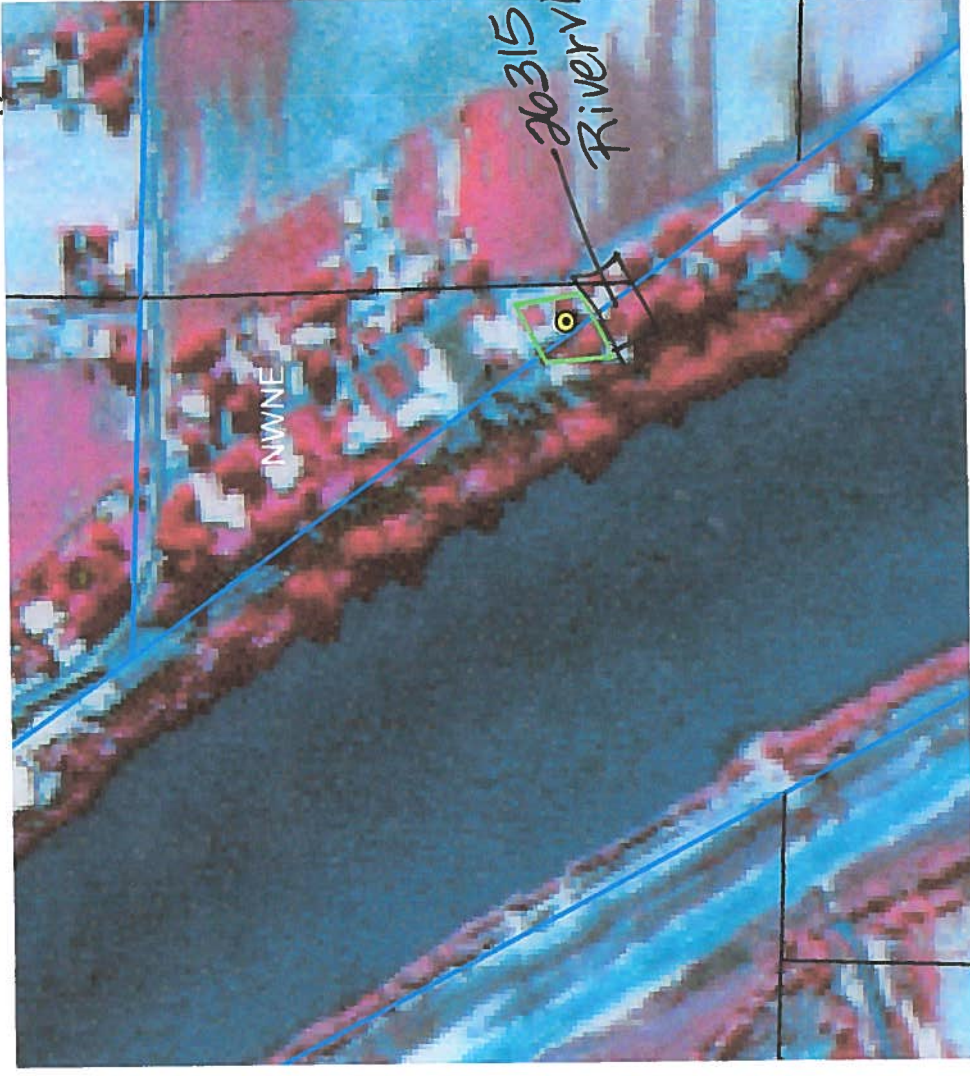


Section Lines

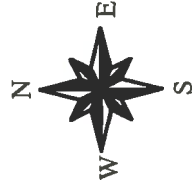


Quarter Quarter Lines

1987 Napp Photo



0 0.25 Miles



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

Notice is hereby given that ED & MIRLE FRANK
(Name of Claimant)
ROUTE #1, WILDER, ID 83676 Telephone No. 337-4335
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 17 MARCH, 1968

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) SPRING tributary to SNAKE RIVER
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| | | (Both dates inclusive) | | |
|----------|-----------------|-------------------------------------|-----------------------------------|-------------------|
| | (cfs, gpd, AFA) | (Domestic, Irrigation, Stock, Etc.) | (Mo., Day) | (Mo., Day) |
| Quantity | <u>0.04</u> | Use <u>DOMESTIC</u> | Period of Use From <u>JAN. 1</u> | To <u>OCT. 31</u> |
| Quantity | <u>0.03</u> | Use <u>IRRIGATION</u> | Period of Use From <u>MAR. 15</u> | To <u>NOV. 15</u> |
| Quantity | | Use | Period of Use From | To |
| Quantity | | Use | Period of Use From | To |
| Quantity | | Use | Period of Use From | To |

- (4) Quantity 0.07 TOTAL QUANTITY USED.
(cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 1 ¼, Sec. 10 Twp. 3N Rge. SW B.M., County of CANYON
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 1 1/2 hp motor w/ 1 1/2" pipeline to SPRINKLER SYSTEM FROM OVERFLOW 15' CAUGHT. A 1/4 hp motor w/ 3/4" pipeline DIVERTS WATER TO HOUSE DIRECTLY FROM SPRING.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 1/3

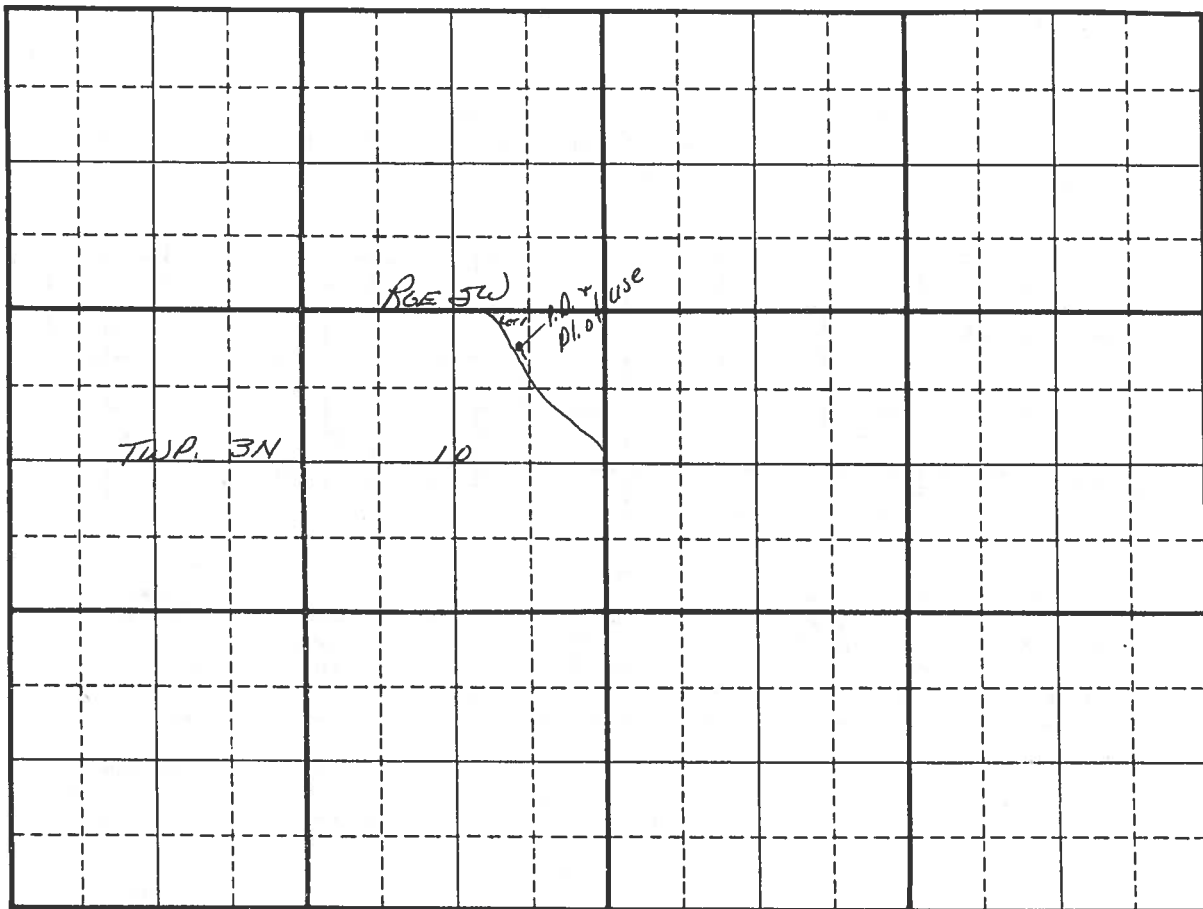
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: DOMESTIC FOR HOME.

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

THE
CITY
OF
NEW
YORK
COUNTY
CLERK

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 11 day of September, 19 81.

Ed Frank
(Claimant)

Nancy M. Northway
Notary Public
Residing at Bosco

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by js Date 9/11/81 Exception filed by: _____ Date _____
Prelim. check by js Date 9/11/81 Forwarded to claimant by: _____ Date _____
Published in Trust Tribune # 40209
Dates 9/24 + 10/11/81

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
_____)
_____)
_____)
State of Idaho)
County of _____)

AFFIDAVIT

RECEIVED

JUL 18 1995

WATER RESOURCES
WESTERN REGION

_____ being first duly sworn,
deposes and says:

*That Ed Frank was using
from this water source since 1960 as
near as I know. I have been in this
neighborhood for 30 yrs.*

Ed Frank
Albert W. Colo
(Signature)

Subscribed and sworn to before me this
day 17 of July, 1995.

SEAL

Jul 14
(Notary Public)

Residing at Owyhee County.

My Commission Expires 10-20-1999.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

A63-04819
ED FRANK
MIRLE FRANK
26315 RIVERVIEW RD
WILDER ID 83676

Re: Claim No(s). A63-04819

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have 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 the historical use of water for a beneficial 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 under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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. 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 Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh
Enclosures

*Mr. Frank was in -
will submit evidence.
kw
7-14-95*



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 24, 1990

[Ed Frank
23615 Riverview Rd.
Wilder, ID 83676]

Dear Mr. Frank:

Enclosed is your copy(s) of the Notice of Claim to a Water Right you filed in the Snake River Basin Adjudication.

As discussed in our phone conversation of 8-22-90; your claim reflects the following change(s).

Item 2: Priority date of March 1, 1968. Claimed per your statutory claim.

These copies are for your files and do not need to be returned. If I can be of further assistance, don't hesitate to contact me.

Sincerely,

Linda A. Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

MICROFILMED

AUG 20 1992

CONVERSATION MEMORANDUM

DATE 8-22-90

FILE AG3-4819

NAME OF PARTY Ed Frank

EMPLOYEE Linda Werner

RE: Priority date missing - ok to add it
per the Statutory claim - 3-1-1968

MICROFILMED
AUG 20 1992