

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-32612
Date Received: 2/22/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KENNETH BOJARSKI Phone: (208) 722-7779
29623 PEARL RD
PARMA ID USA 83660

MARIE BOJARSKI Phone: (208) 722-7779
29623 PEARL RD
PARMA ID USA 83660

2. Date of Priority: 02/24/1977

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05W	30	NE NW	CANYON	

5. Description of diverting works:

PUMP INTO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.08	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05W	30	NE	NW	IRRIGATION	3
Section Acres						3
Total Acres						3

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP- LG- 6-19-2006

This right is a split from former right 63-8454 .

15. Basis of Claim: License

WA now

RECEIVED

Form 42 (Rev. 1403(6) July, 2000)

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease 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
AD 63-8454					
PP 63-2172					

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

A. The appropriate FILING FEE. See instructions for fee amounts.

B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

Lydia Frepp

4. New Owner/Claimant(s)

Kenneth F or Marie Boyarski

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

29623 PEARL RD

City, State and ZIP Code

Farma, ID 83660

New Telephone Number

208) 722-7779

5. Date you acquired the property

Oct 30, 2002

SCANNED

NOV 7 8 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 _____		
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)

Smith & Strufer Marie Boyan
owners

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

For Office Use Only

Received by _____ Date _____ Fee N/A
 Received by _____ Date _____ Receipt No. _____
 Processed by JAL AJ Date 3-12-07 WR _____ Date _____

SCANNED
NOV 28 2006



FACSIMILE TRANSMITTAL SHEET

TO: Kay Walker		FROM: Marie Bojarski	
COMPANY: State of Ohio Water Resources		DATE: 11/20/06 1:57 PM	
FAX NUMBER: 208-287-6700		TOTAL NO. OF PAGES INCLUDING COVER: 12	
PHONE NUMBER: 208-287-4800		PHONE NUMBER: 208-722-6711	
RE: WATER RIGHTS		FAX: 208-722-6047	

☒ URGENT
 ☐ FOR REVIEW
 ☐ PLEASE COMMENT
 ☐ PLEASE REPLY
 ☐ PLEASE RECYCLE

NOTES/COMMENTS:

day.
 here are the copies I think you need.
 It took awhile to find them. If you need
 anything else please let me know.
 The Inapp's gave us the water rights pgs
 that are enclosed @ Casey and it was
 supposed to have been taken care of then.
 Thank you for your assistance
 M. Bojarski

Electronic Privacy Notice. This facsimile, and any attachments, contains information that is, or may be, covered by electronic communications privacy laws, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. Instead, please reply to the sender that you have received the communication in error, and then securely discard it. Thank you in advance for your cooperation.

PC46269

KFB by GA
MB by GA**WARRANTY DEED**

FOR VALUE RECEIVED Clyde R. Trupp, Successor Trustee of the Trupp Family Trust

the Grantor, does hereby grant, bargain, sell and convey unto **Kenneth F. Bojarski and Marie Bojarski, husband and wife**

the Grantees, whose address is **29623 Pearl Road, Parma, ID, 83660**

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2002 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

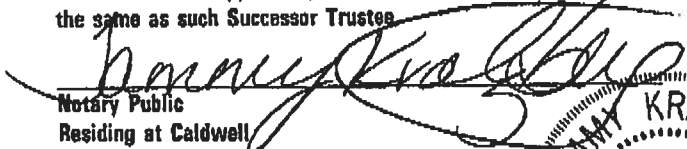
DATED: October 30, 2002

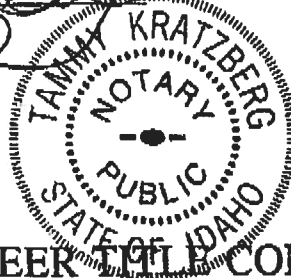

Clyde R. Trupp, Successor Trustee

STATE OF IDAHO

COUNTY OF CANYON

On this 31st day of October in the year 2002, before me, a Notary Public, in and for the said State, personally appeared Clyde R. Trupp known to me to be the person whose name is subscribed to the within instrument as Successor Trustee of the Trupp Family Trust and acknowledged to me that he executed the same as such Successor Trustee


Notary Public
Residing at Caldwell
My commission expires 2/3/04



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

No. 1343 (1982)
ATA Plain Language Commitment

PC 46269

Exhibit "A"

This parcel is a portion of the Northeast Quarter of the Northwest Quarter, Section 30, Township 6 North, Range 5 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter of the Northwest Quarter; thence

North 89° 33' 31" West along the North boundary of said Northeast Quarter of the Northwest Quarter a distance of 547.00 feet to the TRUE POINT OF BEGINNING; thence

South 00° 26' 29" West perpendicular to the North boundary of said Northeast Quarter of the Northwest Quarter a distance of 478.00 feet; thence

North 89° 33' 31" West parallel with the North boundary of said Northeast Quarter of the Northwest Quarter a distance of 364.00 feet; thence

North 00° 26' 29" East perpendicular to said North boundary a distance of 265.77 feet; thence

South 87° 35' 05" East a distance of 197.48 feet; thence

North 00° 26' 29" East perpendicular to the North boundary of said Northeast Quarter of the Northwest Quarter a distance of 219.04 feet to a point on said North boundary; thence

South 89° 33' 31" East along said North boundary a distance of 166.64 feet to the TRUE POINT OF BEGINNING.

REQUEST PIONEER - CALDWELL
TYPE *Deed* FEE *6.00*

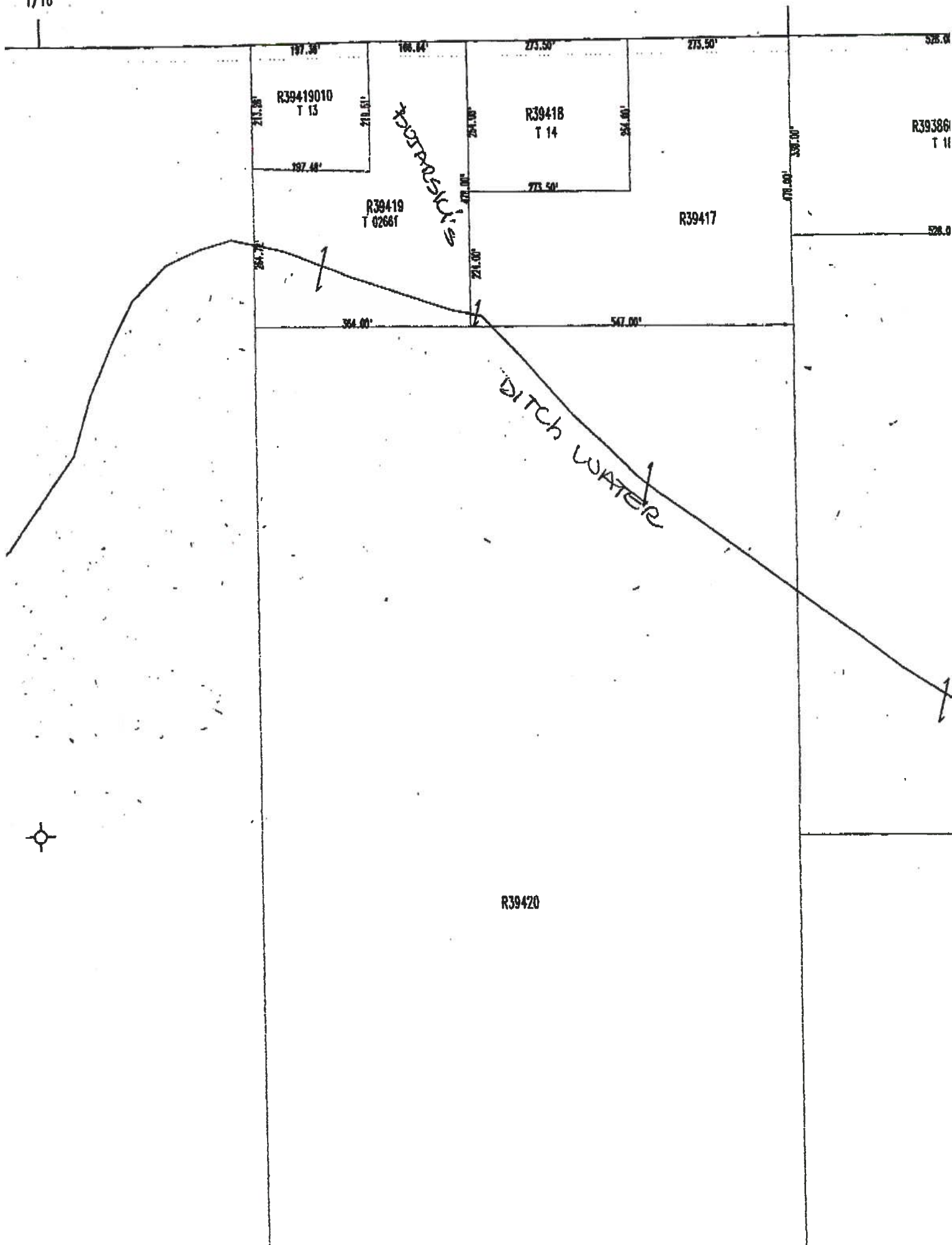
NOEL HALE
CANYON COUNTY RECORDER
BY *Joel H. Hales*

2002 OCT 31 PM 4 06

RECORDED

200251709

1/16



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: A63-08454
Date Received: 2/22/1990
Receipt No: W009373
Received By: B/A

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENRY W. TRUPP 208-722-6944
Address: 29623 PEARL ROAD
PARMA, ID 83660

OR
Name: LYDIA TRUPP 208-722-6944
Address: 29623 PEARL ROAD
PARMA, ID 83660

2. Date of Priority: FEB 24, 1977

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	05W	30	NE	NW			CANYON

5. Description of diverting works:
PUMP INTO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		

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

8. Total consumptive use is 14.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/10

A63-08454

Page 1

Date: 02/22/90

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05W	30	NE	NW	IRR	4.0
Section Acres						4.0
Total Acres						4.0

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:
CO-OP CANAL

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Lydia Trupp Date: 2/22/90
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of February 19 90 Bruce A. Schulz
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires 7/11/95

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

RIGHT NUMBER: 63-32612

NAME AND ADDRESS: KENNETH BOJARSKI
29623 PEARL RD
PARMA ID 83660

MARIE BOJARSKI
29623 PEARL RD
PARMA ID 83660

SOURCE: WASTE WATER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.060 CFS
13.500 AFY

PRIORITY DATE: 02/24/1977

POINT OF DIVERSION:

T06N R05W S30 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.060 CFS 13.50 AFY
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in CANYON County

T06N R05W S30 NENW 3.00

3 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

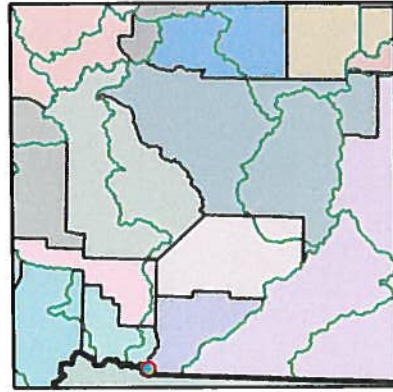
This right is a split from former right 63-8454 .



63-32612
(Irrigation)



0.2 Miles



**Canyon County
IDWR Basin 63**

**Prepared by K. Walker
On Monday, March 12, 2007
1987/88 Aerial Photography**

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Water Rights: 63-8454 (Split)
	)	63-32611, 63-32612
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

- ☐ Address change
- XX Substitution of Party
- ☐ IC § 42-222 transfer
- | | |
|---|--|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
| ☐ Other | |
- ☐ IC § 42-219 license

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

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

DATED: March 16, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 16, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Henry W. Trupp	☐ overnight mail
Lydia Trupp	☒ regular mail
29623 Pearl Rd.	☐ hand-delivered
Parma ID 83660	☐ facsimile

Kenneth Bojarski	☐ overnight mail
Marie Bojarski	☒ regular mail
29623 Pearl Rd.	☐ hand-delivered
Parma ID 83660	☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 16, 2007

KENNETH BOJARSKI
MARIE BOJARSKI
29623 PEARL RD
PARMA ID 83660

Re: Original Water Right No. 63-8454

Renumbered to Water Right Nos. 63-32612

Dear Mr. & Mrs. Bojarski:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of the original claim.

When a portion of the original water right has been conveyed to another and the original right has been split, then the original right number is renumbered to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original right after the change of ownership. Enclosed is a copy of this new water right for your records. Please refer to your new number when corresponding with our office. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the SRBA Court as notification of this change.

If you have any questions concerning this ownership change, or the enclosed copy, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:1
Enclosures