

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 63-32482
Date Received: 2/28/1990
Receipt No: X7777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHIRLEY JOHNSON Phone: (801)253-7606
11481 SPRING STONE DR
SOUTH JORDAN UT USA 84095

2. Date of Priority: 01/01/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02W	4	SE NE SE	CANYON	

5. Description of diverting works:

WELL 60' DEEP, 10" CASING, AND PUMP, GRAVITY FLOW

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:
0.79 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
03N	02W	4	SE	NE		IRRIGATION	19
			NE	SE		IRRIGATION	20
			SW	NE		IRRIGATION	23
						Section Acres	62
						Total Acres	62

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 OF OWNERSHIP L.GAGNON REVIEWED BY V. MUSIC

This right is a split from former right 63-5126.

15. Basis of Claim: Beneficial Use

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

RECEIVED
JUL 13 2006
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-5126	Y			
	63-8782	Y			

RECEIVED
JUL 20 2006
WATER RESOURCES
WESTERN REGION

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

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

waived

* 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)

Lynn C & Elayne O. Tuft
17293 Northside Blvd.

4. New Owner/Claimant(s)

Nampa, Idaho 83651

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

New Mailing Address

Shirley J. Johnson

City, State and ZIP Code

11481 Spring Star Dr. South Jordan, Utah

New Telephone Number

(801) 253-7606

84095

5. Date you acquired the property

Mar 25, 2004

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
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	78 cfs	62 acres
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	78	_____

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) Shirley J. Johnson
(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 lg Date 7-20-06 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

DEED OF DISTRIBUTION

REQUEST
TYPE Paid
FEE 9.00

CANYON COUNTY RECORDER

2004 MAR 6 PM 4

RECORDED

2004184104

FOR VALUE RECEIVED, And in accordance with the Decree Distribution entered in the estate of Clayone O. Tuft, deceased, on March 19, 2004, and recorded in the office of the County Recorder of Canyon County, Idaho, on March 19, 2004, as Instrument No. 200414702, SHIRLEY T. JOHNSON, personal representative of the estate of Clayone O. Tuft, deceased, whose Letters Testamentary were issued on April 23, 2003, as grantor, does hereby grant and convey unto SHIRLEY T. JOHNSON, of 11481 Spring Shore Drive, South Jordan, Utah 84095, the grantee, as and for her sole and separate property, without any covenant or warranty, express or implied, all of the right, title and interest of said Clayone O. Tuft, deceased, in and to that certain real property, situated in the County of Canyon, State of Idaho, and described as follows, to-wit:

N1383065.58 E2292382.11

BEGINNING at a point on the Section line between Sections 3 and 4, Township 3 North, Range 2 West of the Boise Meridian, which point is 1327.5 feet North of the South common corner of Sections 3 and 4 aforesaid, and also being the Southeast corner of the North Half of the Southeast Quarter of Section 4, THE REAL POINT OF BEGINNING; thence North 88°43' West 92 feet; thence North 44°52' West 463 feet; thence North 58°04' West 472 feet; thence North 36°13' West 922 feet; thence North 63°35' West 772 feet, more or less, to the East right of way line of the Idaho Northern Railroad; thence North 17°58' West along said East right of way line of the Idaho Northern Railroad to the North boundary line of the South Half of the Northeast Quarter of Section 4; thence East on the North boundary line of said South Half of the Northeast Quarter to a point which is 1135 feet West of the Northeast corner of the South Half of the Northeast Quarter of Section 4; thence South 35°15' East 545.71 feet; thence bearing North 89°44' West 30 feet; thence South 33°58' East along a drain ditch as now constructed 725 feet; thence South 14°35' East 277 feet; thence South 89°51' East 376 feet to the common section line of Sections 3 and 4; thence South along the common section line of Sections 3 and 4 to the Southeast corner of the North Half of the Southeast Quarter of Section 4, THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM:

BEGINNING at a point on the Section line between Sections 3 and 4, Township 3 North, Range 2 West of the Boise Meridian, which point is 1327.5 feet North of the South common corner of Sections 3 and 4 aforesaid, and also being the Southeast corner of the North Half of the Southeast Quarter of Section 4, THE REAL POINT OF BEGINNING; thence North 88°43' West 92 feet; thence North 44°52' West 463 feet; thence South 88°43' East 400 feet, more or less, to the East boundary line of the North Half of the Southeast Quarter of Section 4; thence South on the East boundary of the North Half of the Southeast Quarter of Section 4, a distance of 325 feet, more or less, to the REAL POINT OF BEGINNING.

Together with a One-half interest in that certain well as licensed by the Department of Water Resources of the State of Idaho under Licenses No. 63-0512 and No. 63-08782, which well supplies supplemental irrigation water upon the South Half of the Northeast Quarter and the North Half of the Southeast Quarter of Section 4, Township 3 North, Range 2 West of the Boise Meridian.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion or reversions, remainder and remainders, rents, issues and profits thereof. To have and to hold all and singular the premises, together with the appurtenances, unto Shirley T. Johnson, and to her heirs and assigns forever.

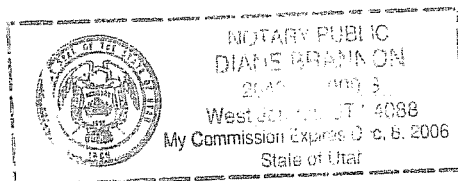
IN WITNESS WHEREOF, Shirley T. Johnson, has hereunto set her hand this 25 day of March 2004.

Shirley T. Johnson
Shirley T. Johnson
Personal Representative of the
Estate of Clayone O. Tuft

1 STATE OF UTAH)
2) ss.
3 County of Salt Lake

4 On this 25 day of March 2004, before me, the
5 undersigned, a Notary public in and for said State, personally
6 appeared SHIRLEY T. JOHNSON, personal representative of the estate
7 of Clayone O. Tuft, deceased, known to me to be the person whose
8 name is subscribed to the within instrument and acknowledged to me
9 that she executed the same.

10 IN WITNESS WHEREOF, I have hereunto set my hand and
11 affixed my official seal, the day and year in this certificate first
12 above written.



[Signature]
Notary Public for Utah
Residing at [Signature], UT
My commission expires: 2-8-2011



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 26, 2006

Shirley Johnson
11481 Spring Stone
South Jordan, UT 84095

Re: Original Notice of Claim to a Water Right No. 63-5126
Renumbered Notice of Claim to a Water Right No. 63-32481

Dear Claimant(s):

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 required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

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

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LG: lg

Enclosure

Desktop Review/View

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
 - ☐ Well logs (if needed)
 - ☐ Copy of topo or NAPP
 - ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
 - ☐ Check POD & POU overlap, see below – include overlapping right for exam
 - ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-5126

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER C/O processed but needs split
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: GW 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:

see field exam 2003

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 Uses

Use 166 From 311 To 11/15 Amount .41 CFS 211.97 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

(70)(4.5) 387. afa or (41)(1.9835)(260) = 211.97

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount .41 CFS 211.97 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:

orig stat claim states 86 acres in 1903.
expansion or enlargement? 1350 ft will nec.
stat 86 ac based on info from Shirley.

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: 63-8182- permit

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

overlaps totally w/ 63-8182

Delivery System Narrative: see field exam.

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Pioneer Irr District water used.

- (1) evidence of priority provided by Shirley Johnson - sister of Wayne, daughter of Wayne - both deceased.
- (2) Shirley owns 62 acres
- (3) Shirley states this old well not able to irrigate 86 acres let alone 135 acres as claimed in the SPA.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED:

9-25-06

FIELD EXAMINER:

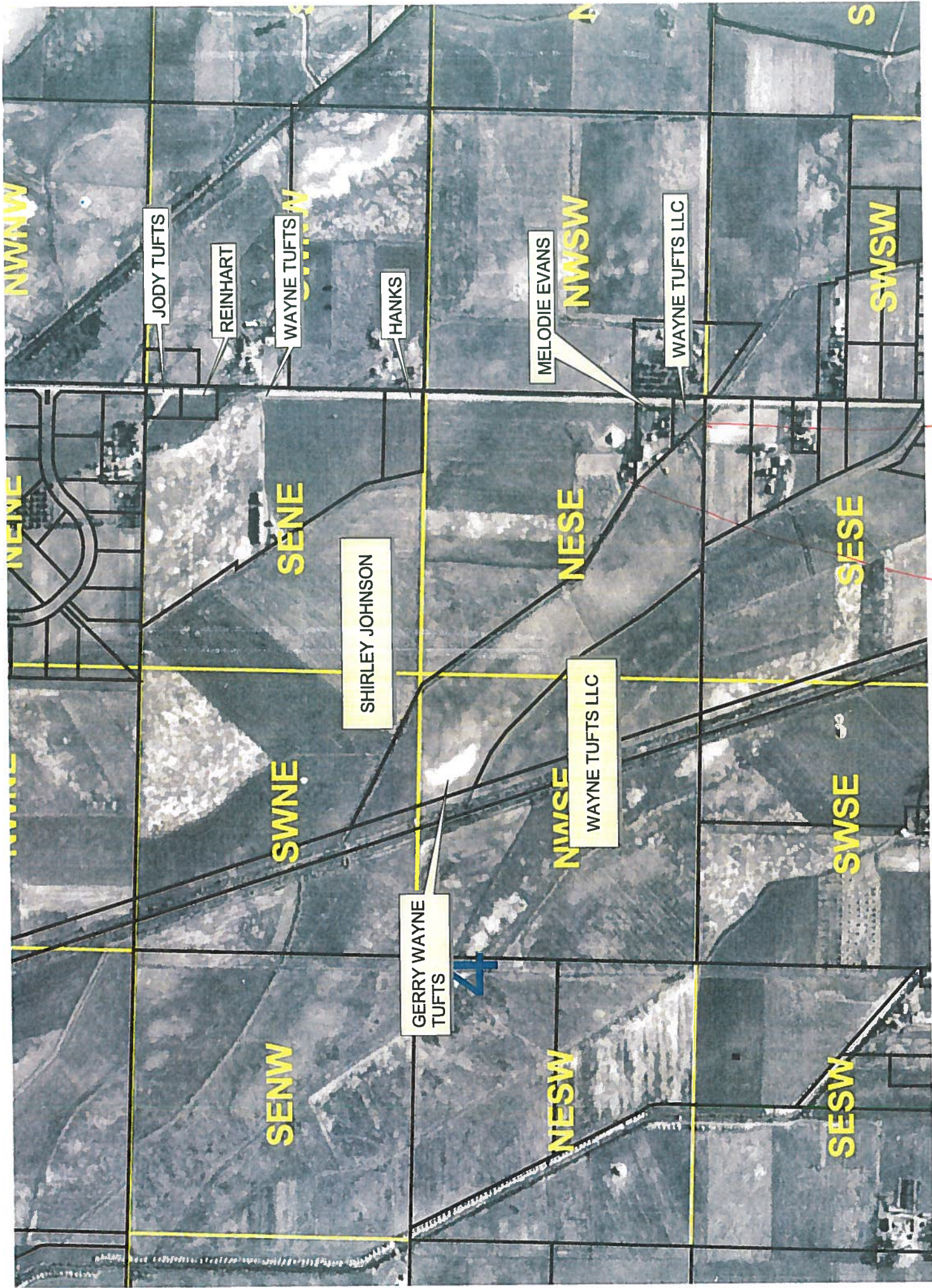
Wiley

Unsec

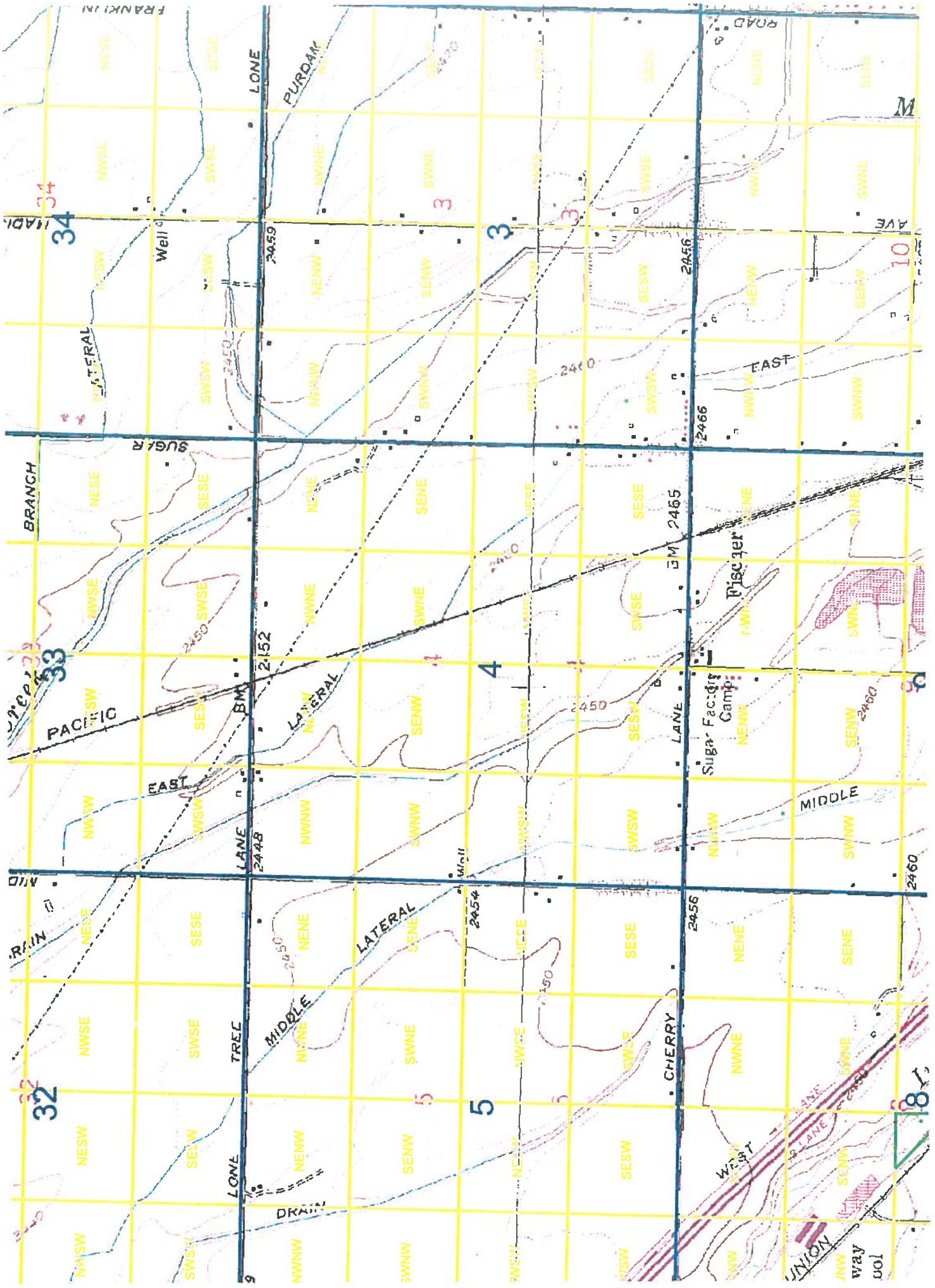
check theoretical

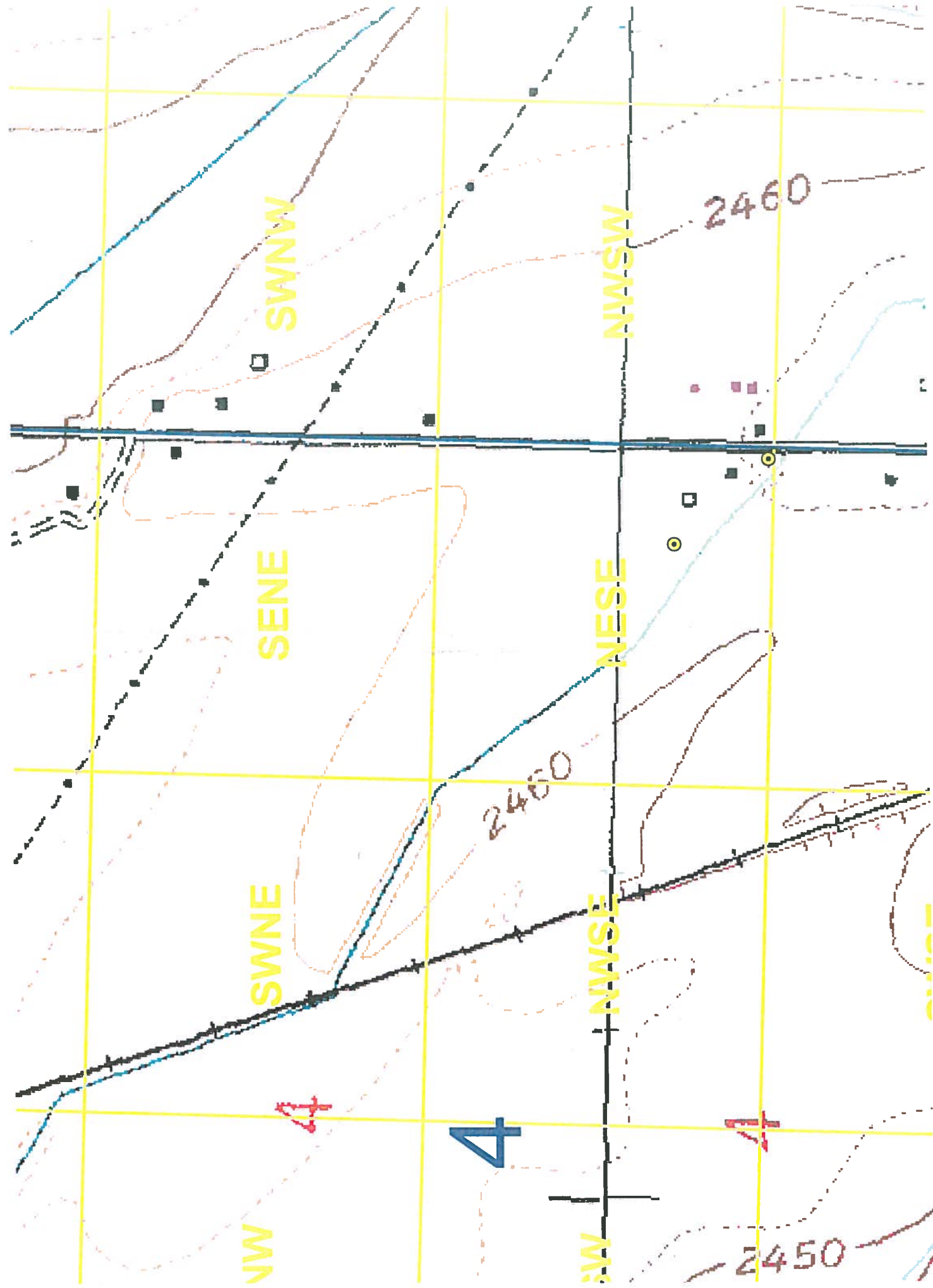
$$\frac{(8.8)(.1)(1.5)}{2.0 + (2.31)(40)} = \frac{46.2}{104.4} = .41$$

static water level 6'-20' below surface per wells in the area.
pump changed from 5 hp - 7.5.



1048 well
63-8789 well ? location unknown





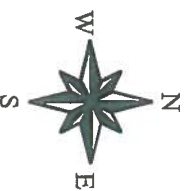
Idaho Department of Water Resources

Claim Number: 63-05126

Legal: T03N, R02W, S04

Reviewed By:

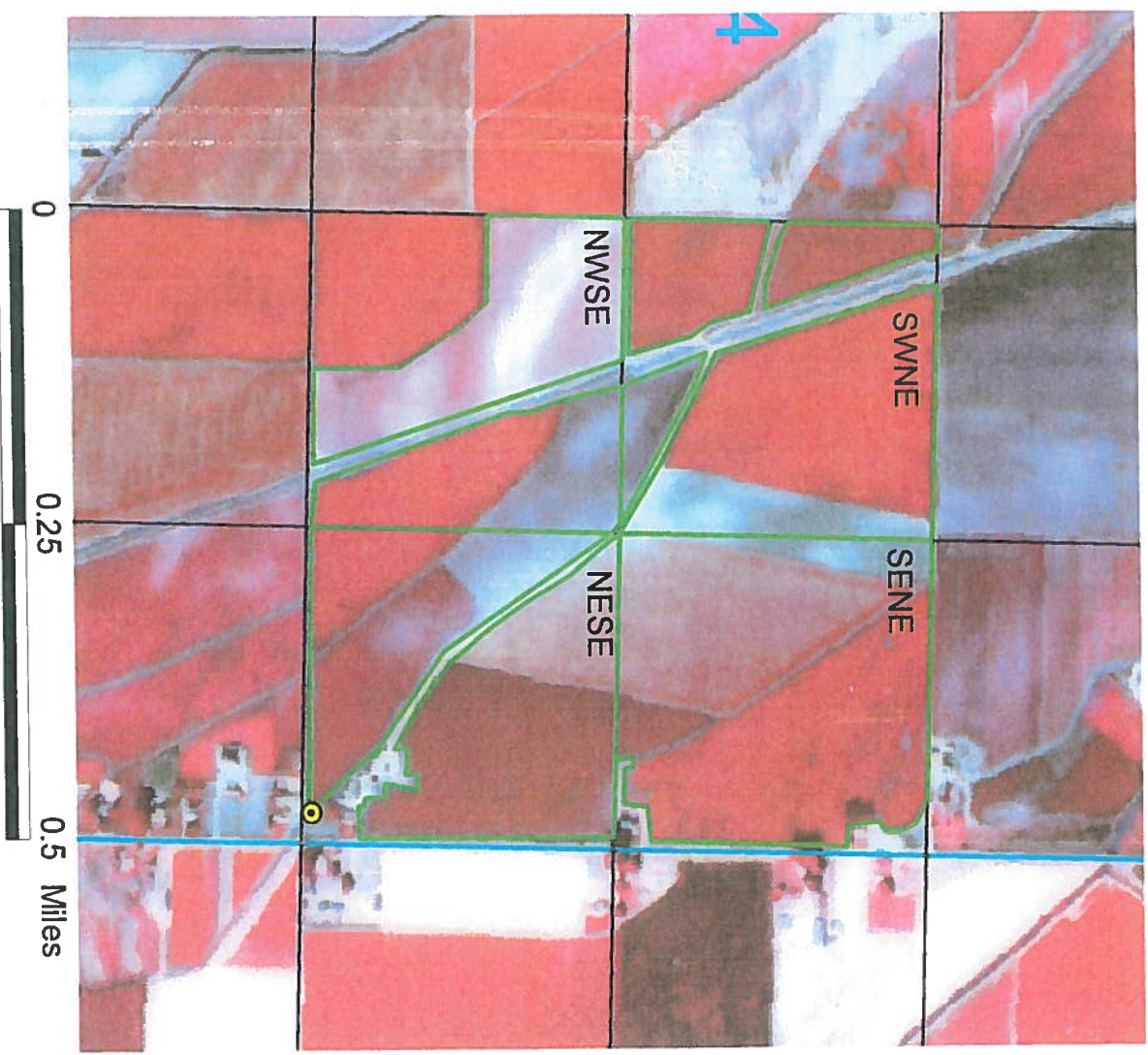
-  Point of Diversion(GPS)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



Idaho Department of Water Resources

Claim Number: 63-05126
Legal: T03N, R02W, S04
Reviewed By:

-  Point of Diversion(GPS)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



1987 Napp Photo

ACCOUNT NUMBER R30837010 0 UNIT 001 TOTAL UNITS 1

SITE 17501 NORTHSIDE BLVD NA SEC/TWN/RNG 04-3N-2W
ASSESSED VALUE 187,000 ACREAGE 1.70
SUB/PARK NAME YEAR/MAKE

CLASS 3 OWNER / OCCUPIED HOUSE CLASS ' 3 ' SPACE LOT BLOCK

+++++
YR BUILT 1984 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 1664 EXTERIOR HARDBOARD DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 5 BSMT SQ FT 1664 SPA? N
BATHS 2.00 % BSMT FIN 50 LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

01 ACCOUNT: 6R30837-010- -0 AREA 063-00 DRAIN VALUE CLASS 3 H/O Y
SEC 04 TWN 3N RNG 2W QTR NE CITY/SUB 0 BLK LOT 2300
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
HANKS, JAKE D TUFT, COURTNEY D
& HANKS, PAULA E H/W & TUFT, REBECCA H H/W

MAILING ADDRESS

LEGALS

17501 NORTHSIDE BLVD
NAMPA ID 83687

04-3N-2W NE
TAX 8A IN SENE

SITE ADDRESS
17501 NORTHSIDE BLVD NA
COMMENTS

REMARKS

200206827,8921606

PRIOR ACCOUNT 5R30837010 0
PARCEL 03N02W042300 SRVY
INSTR 200206827 ACRES 1.70
SPLIT YR DOCUMENT WD

DATE DONE 03/25/2002 INITIALS GJ

02 Ownership Tract Record

MODE:F ACTION: OWNERSHIP TRACT RECORD INQUIRY TRQK366

Account Number: 30837-010- -0

Instrument Grantor Grantee Remarks

MODE:F ACTION: OWNERSHIP TRACT RECORD INQUIRY TRQK366

Account Number: 30837-010- -0

Instrument Grantor Grantee Remarks

Account Number: 30836-000- -0

Instrument	Grantor	Grantee	Remarks
200329435	TUFT		CERT OF DEATH
200353925	TUFT	EVANS, MELODIE G	
200371128	JOHNSON	EVANS	
200414702	TUFT, CLAYONE O	JOHNSON, SHIRLEY	FINAL DECREE OF DIST
200463968	EVANS	TUFT, LLC	QCD, SPLIT .12AC TOR30836-010- 0

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

01 ACCOUNT: 6R30836-000- -0 AREA 063-00 DRAIN VALUE CLASS 2 H/O Y
SEC 04 TWN 3N RNG 2W QTR NE CITY/SUB 0 BLK LOT 1951
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
EVANS, MELODIE G JOHNSON, SHIRLEY
& TUFT, WAYNE L
& EVANS, MELODIE G

MAILING ADDRESS

LEGALS

17293 NORTHSIDE BLVD
NAMPA ID 83687
TX 96100 & TX 04772 IN N1/2 SE1/4

SITE ADDRESS

17293 NORTHSIDE BLVD NA
COMMENTS

REMARKS

PRIOR ACCOUNT 5R30836000 0 367662,9609114,9608321
PARCEL 03N02W041951 SRVY 1.41AC PER TRAVERSE,200329435
INSTR 200371128 ACRES 1.35 AC ADJUST WAS 118.01 NOW 110.06
SPLIT YR DOCUMENT WD SPLIT 61.36AC TO R30836-011
DATE DONE 01/24/2005 INITIALS GJ SPLIT 36.52 & 10.77 TO R30836-012
02 Ownership Tract Record
THIS ACCOUNT HAS NO OWNERSHIP TRACT RECORD.

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101
System User- IDWRR Date 06/07/2006 Time 15:29
REAL PROPERTY INQUIRY

+++++
01 6R30836-000- -0 063-00 N SCH139+ 12 40,000
+++++ 2A 3,500
EVANS MELODIE G + 32 2,400
+ 34 65,800
+
+
+
17293 NORTHSIDE BLVD +
NAMPA ID 83687 +
+++++
04-3N-2W NE + TOTAL 111,700 1.35
TX 96100 & TX 04772 IN N1/2 SE1/4 ++++++
+ SURVEY INST 200371128
+ DRAIN DR VALUE APPR KMP
+ CLASS 2 REAP 05 MAN 04 UNIT 1
17293 NORTHSIDE BLVD, NA + PARCEL 6R03N02W041951 H/O N C/B N
+ PRIOR ACCOUNT 5R30836-000- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

01 ACCOUNT: 6R30838-000- -0 AREA 063-00 DRAIN VALUE CLASS 3 H/O Y
SEC 04 TWN 3N RNG 2W QTR NE CITY/SUB 0 BLK LOT 1801
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
REINHART, GERRY D TUFT, WAYNE L ESTATE

MAILING ADDRESS

17699 NORTHSIDE BLVD
NAMPA ID 83687

SITE ADDRESS

17699 NORTHSIDE BLVD NA

COMMENTS

PRIOR ACCOUNT 5R30838000 0
PARCEL 03N02W041801 SRVY
INSTR 200431033 ACRES .61
SPLIT YR 2004 DOCUMENT DD
DATE DONE 07/14/2004 INITIALS JK

THIS ACCOUNT HAS OWNERSHIP TRACK RECORD!

MODE:F ACTION: OWNERSHIP TRACT RECORD INQUIRY

LEGALS

04-3N-2W NE
TX 04255 IN SENE

REMARKS

SP TO R30837-011 THEN ADJ TO .61AC
PER MAPPING & 200419151 FOR 2005.

02 Ownership Tract Record

TRQK366

Account Number: 30838-000- -0

Instrument	Grantor	Grantee	Remarks
200419151	TUFT ESTATE	TUFT ESTATE	
200431033	TUFT ESTATE	REINHART-H/W	CO-PR DEED

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5126

WATER RIGHT NUMBER: 63-5126

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE L TUFT 17699 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4740
Current Owner	COURTNEY TUFT 17501 NORTHSIDE BLVD NAMPA, ID 83687 (208)467-5935
Current Owner	CLAYONE O TUFT 17293 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4072

Priority Date: 01/01/1948

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	1.720 CFS	
	<u>Total Diversion:</u>	1.720 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4SE1/4	Sec. 4, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T03N R02W S04	SWNE 33.0	T03N R02W S04	SENE 37.0
T03N R02W S04	NESE 37.0	T03N R02W S04	NWSE 28.0
Total Acres: 135			

Conditions of Approval:Remarks:Comments:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-05126 Date: 2-01-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	34	26	04			33	37									37	28			135
GIS						35	38									35	27			135
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 135

Overlapping POU Claim #'s:

63-08782

Total GIS Acres: 135

COMMENTS:

per claim map, County data shows different owner of part of the land

POD - GPS' ed

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-05126

Date: 2-01-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	2W	04			33	37									37	28			135
GIS						35	38									35	27			135
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 135

Overlapping POU Claim #'s:

63-08782

Total GIS Acres: 135

COMMENTS:

per claim map, County data shows different owner of part of the land

POD - GPS'ed

Music, Vicky

From: Music, Vicky
Sent: Thursday, August 17, 2006 2:58 PM
To: Walker, Kay
Subject: RE: Permit 63-8782 for Tuft

Kay, I though the letter was well written and described the situation clearly. Thanks for the update. Vicky

-----Original Message-----

From: Walker, Kay
Sent: Thursday, August 17, 2006 1:20 PM
To: Music, Vicky
Cc: Walker, Kay
Subject: Permit 63-8782 for Tuft

Hi, Vicky... I found that I cannot split Permit 63-8782 until I get an additional or amended quitclaim deed as I tried to explain in the attached letter (word document). This should not effect the claim filed by Shirley Johnson, however, I see on the deeds I received (Deeds of Distribution dated 3/19/2004) that Shirley has deeded 1/2 interest in Rt. 63-0512 and 63-08782 to estate of Wayne L. Tuft. I have attached a copy of one of the deeds for your information (pdf file). If right 63-5126 does not serve any more than Shirley's property then there is no issue.

Recommend Permit 63-8782 exactly as permitted with condition A01 and call it good for now... It is on the "field examination needed" list in computer so won't be lost in space again.

If my letter is too hard to read, please make changes and send them over - I had a heck of a time trying to write it. I won't mail it until I leave this afternoon so any clarification would be helpful.

Thanks... Kay

<< File: 20060817104350000.pdf >> << File: 63-8782 Deed for splitting permit.doc >>

Tracking:

Recipient

Walker, Kay

Delivery

Delivered: 8/17/2006 2:58 PM

August 18, 2006

WAYNE L TUFT LLC
ATTN: CANDY SIMPSON
17851 MADISON
NAMPA ID 83687

RE: Change in Ownership of Water Right Permit 63-8782

Dear Ms. Simpson:

I have received and reviewed the notice of change in water right ownership form that you submitted, along with all the deeds that were submitted. I have found, through reviewing the deed of July 12, 2004 (the deed that changes the ownership of all the property to Wayne L. Tuft LLC) that a field of 10.4 acres was not included on the deed. I am enclosing a copy of the map that you submitted that shows the 10.4 acre field that is not described on the quitclaim deed. I also noticed on the deed that Parcel 2 and Parcel 3 are for the exact same lands. You will need to take the deed in to the party that prepared it and ask them to amend it so that all the property is included. You may also want to ask why the lands in Parcels 2 and 3 have been duplicated in the quitclaim deed. Getting the deed amended now may make selling the property easier in the future, if you ever decide to do that.

I also pulled information from the Canyon County Assessor's office and find that the 10.4 acre piece that is not mentioned in the deed is under Account No. 6R30386-012 in their records. Your deed describes a portion of the lands as Parcel 1, however, it does not mention tax lot 96101 in N1/2SE as the assessor's office shows on the account printout that I have enclosed.

Please submit a copy of the amended and/or corrected deed as soon as you can so I can split this permit between Wayne L. Tuft LLC and Shirley Johnson. I cannot split the permit until all the lands are included on the quitclaim deed.

We have received the field examination fee of \$125.00 submitted by yourself and Shirley Johnson. This permit is now on the list to have a field examination conducted. Our staff is currently working on finalizing the Snake River Basin Adjudication (SRBA) so I cannot tell you when the field examination of this permit will be conducted. Our examiner will be out to examine the well under Claim 63-05126 and may try to collect the information for the permit at the same time. He will contact you if he needs assistance with the exam.

If you have any questions regarding this, please do not hesitate to contact me at (208) 287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

RECEIVED

JUL 20 2006

Department of Water Resources

REQUEST
TYPE 2000 FEE 9.00

BY

CANYON COUNTY RECORDER

2004 APR 6 PM 4 03

RECORDED

200418413

DEED OF DISTRIBUTION

FOR VALUE RECEIVED, And in accordance with the Decree of Distribution entered in the estate of Clayone O. Tuft, deceased, on March 19, 2004, and recorded in the office of the County Recorder of Canyon County, Idaho, on March 19, 2004, as Instrument No. 200414702, SHIRLEY T. JOHNSON, personal representative of the estate of Clayone O. Tuft, deceased, whose Letters Testamentary were issued on April 23, 2003, as grantor, does hereby grant and convey unto JEANNE TUFT and CANDY LEE SIMPSON, of 17851 Madison, Nampa, Canyon County, Idaho 83687, personal representatives of the estate of Wayne L. Tuft, deceased, the grantees, without any covenant or warranty, express or implied, all of the right, title and interest of said Clayone O. Tuft, deceased, in and to that certain real property, situated in the County of Canyon, State of Idaho, and described as follows, to-wit:

All that part of the South Half of the Northeast Quarter and the North Half of the Southeast Quarter, Section 4, Township 3 North, Range 2 West of the Boise Meridian, lying Southwesterly of the East right of way line of the Idaho Northern Railroad.

AND

All that part of the North Half of the Southeast Quarter of Section 4, Township 3 North, Range 2 West of the Boise Meridian lying Northeasterly of the East right of way of the Idaho Northern Railroad and Southwesterly of the following described real property:

BEGINNING at a point on the Section line between Sections 3 and 4, Township 3 North, Range 2 West of the Boise Meridian, which point is 1327.5 feet North of the South common corner of Sections 3 and 4 aforesaid, and also being the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 4; thence North 88°43' West 92 feet to the REAL POINT OF BEGINNING; thence North 44°52' West 463 feet; thence North 58°04' West 472 feet; thence North 36°13' West 922 feet; thence North 63°35' West 772 feet, more or less, to the East right of way line of the Idaho Northern Railroad; thence South 17°58' East along said East right of way line 616.6 feet; thence South

GIGRAY, MILLER & DOWNEN
Attorneys at Law
9th and Dearborn Bldg. P.O. Box 640
Caldwell, Idaho 83406-0640
Telephone - 208-39-0091

1 64°33' East 180 feet; thence South 54°32' East 124 feet;
2 thence South 45°41' East 523 feet; thence South 33°29'
3 East 349 feet; thence South 39°00' East 381.1 feet, more
4 or less, to the South line of the Northeast Quarter of the
5 Southeast Quarter of said Section 4; thence South 88°43'
6 East 674.4 feet, more or less, along the South line of the
7 Northeast Quarter of the Southeast Quarter of said Section
8 4, to the REAL POINT OF BEGINNING.

6 Together with a one-half interest in that certain well as
7 licensed by the Department of Water Resources of the State
8 of Idaho under Licenses No. 63-0512 and No. 63-08782,
9 which well supplies supplemental irrigation water upon the
10 South Half of the Northeast Quarter and the North Half of
11 the Southeast Quarter of Section 4, Township 3 North,
12 Range 2 West of the Boise Meridian.

11 Together with all and singular the tenements, heredita-
12 ments and appurtenances thereunto belonging or in anywise
13 appertaining, the reversion or reversions, remainder and remainders,
14 rents, issues and profits thereof. To have and to hold all and
15 singular the premises, together with the appurtenances, unto Jeanne
16 Tuft and Candy Lee Simpson, personal representatives of the estate
17 of Wayne L. Tuft, deceased, and to their heirs and assigns forever.

15 IN WITNESS WHEREOF, Shirley T. Johnson, has hereunto set
16 her hand this 25 day of March 2004.

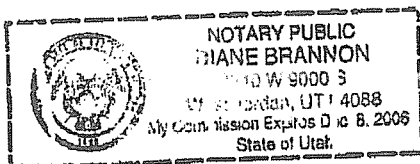
17 Shirley T. Johnson
18 Shirley T. Johnson
19 Personal Representative of the
20 Estate of Clayone O. Tuft
21
22
23
24

GIGRAY, MILLER & DOWNEN
Attorneys at Law
9th and Dearborn Sts. - P.O. Box 640
Califon, Idaho 83406-0640
Telephone - 208-489-0091

1 STATE OF UTAH)
2 County of Salt Lake) ss.

3 On this 25 day of March 2004, before me, the
4 undersigned, a Notary public in and for said State, personally
5 appeared SHIRLEY T. JOHNSON, personal representative of the estate
6 of Clayone O. Tuft, deceased, known to me to be the person whose
7 name is subscribed to the within instrument and acknowledged to me
8 that she executed the same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and
10 affixed my official seal, the day and year in this certificate first
11 above written.



Notary Public for Utah
Residing at W. Jordan, UT
My commission expires: 12-8-2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 22, 2006

JEFF TUFT
2521 ARIES DR.
NAMPA, ID 83651

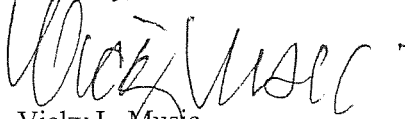
RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s) and Permit: 63-8782

Dear Jeff,

Shirley Johnson provided me with your address and I am writing you regarding the use of water under Permit No. 63-8782. In 1977, Lynn, Clayone and Wayne Tuft applied for a license for use of water from a well drilled about that time. The process was never completed. I recently learned from Shirley that all of the applicants are deceased. If the currently owners of the property and well do not complete the process, the use of water from the well will not be a legal use. Enclosed is a letter sent last week by the Idaho Department of Water Resources to the applicants.

Please call Kay Walker at (208) 287-4800 regarding this matter. I will be out of the office from June 26 until July 10, 2006. I will be available to answer questions when I return to the office.

Sincerely,



Vicky L. Music
Senior Water Resource Agent

Enclosures: Letter dated June 13, 2006, Re Permit No. 63-8782

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 22, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

GERRY TUFT
2461 W. 200 N.
PROVO, UT 84601

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s) and Permit: 63-8782

Dear Gerry,

Shirley Johnson provided me with your address and I am writing you regarding the use of water under Permit No. 63-8782. In 1977, Lynn, Clayone and Wayne Tuft applied for a license for use of water from a well drilled about that time. The process was never completed. I recently learned from Shirley that all of the applicants are deceased. If the currently owners of the property and well do not complete the process, the use of water from the well will not be a legal use. Enclosed is a letter sent last week by the Idaho Department of Water Resources to the applicants.

Please call Kay Walker at (208) 287-4800 regarding this matter. I will be out of the office from June 26 until July 10, 2006. I will be available to answer questions when I return to the office.

Sincerely, ~

Vicky L. Music
Senior Water Resource Agent

Enclosures: Letter dated June 13, 2006, Re Permit No. 63-8782

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 22, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

SHIRLEY JOHNSON
11481 SPRING STONE DR.
SOUTH JORDAN, UT 84095

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-5126, 63-8782

Dear Shirley,

This letter is to follow up on our conversation earlier this week about change of ownership and evidence of priority.

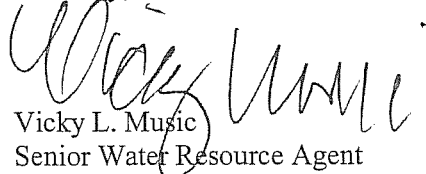
1 – Please complete the circled items on the enclosed change of ownership form and send it and the required warranty deed back to me at the address provided here.

2 – Please write a statement regarding the use of the water from the 1948 well and the reason the 1949 date was claimed as the date the water use was developed.

Shirley, there is an issue with the use of the water from the newer well and I was not aware of this when we spoke. The issue is that when your parents, Lynn and Clayone, and brother, Wayne, applied for a license for 63-8782 in the 1980s, the process was never completed. I enclosed a letter that the allocations program sent last week that describes the situation. As you see, the letter was sent to your parents in care of Wayne because they were the applicants. I will send a copy of the letter to Jeff and Gerry Tuft at the addresses you provided.

I will call you the week of July 10, 2006, which is when I return to the office.

Sincerely,



Vicky L. Music
Senior Water Resource Agent

Enclosures: Change of ownership form and letter dated June 13, 2006, Re Permit No. 63-8782

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

6/19/06

63-5126

see ① and ② mention statement

Shirley Johnson received my request for cop & called the SRBA hotline. Danni Smith 1-m. on my v-mail. Evidently Shirley does own part of property but is not on good terms with the neighbors. Uses mainly irr district water. Will not be able to submit by 6/23.

Cartney - her nephew.
Clayone - her mom

- was option until 2010

was 62 acres, hardland dev will probably buy

Wayne ^{- was} is her brother & treated her poorly - did not want her to have the 62 acres.

she verified that the 1948 well was on parents property.

Pioneer Irr.

Shirley's address: 11481 Spring Stone Dr.
S. Jordan UT 84095
(801) 253-7606
(801) 561-8995 (computer)

Jeff Yuff
2461 W. 200 N.
Provo, UT 84601

Jeff Yuff
2521 Arics Dr.
Nampa, ID 83651

SEE Attached
notes p. 2
letter p. 3-4

Page 1

06/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-8782

WATER RIGHT NUMBER: 63-8782

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LYNN TUFT C/O WAYNE L TUFT 17699 NORTHSIDE BLVD NAMPA, ID 83651
Current Owner	CLAYONE TUFT C/O WAYNE L TUFT 17699 NORTHSIDE BLVD NAMPA, ID 83651

Priority Date: 05/04/1977

Basis:

Status: Active

Source

GROUND WATER

Tr

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Total Diversion:

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SE1/4

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW			
			NE	NW	SW	SE	NE	NW	SW	SE
03N	02W	4			28.0	23.0				

Total Acres: 112

6/14/06

NEW OWNERS

- cc KW's 6/13/06 letter
- assignment form (\$25)
- document why cannot complete assignment, possible to change permit ownership w/ owner
- change fee/pinto
- pay exam fee or acct. examine process
- suggest
 - a) pay exam fee \$125 for 2.00 cfs
 - b) Request dept exam asap to get licensed asap (DAN)

-SL

Conditions of Approval:

1. 03A The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
2. The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-8782

Comments:

1. kwalker 6/12/2006 File review

Comment: This permit was entered as a licensed right when put into the computer system back in 1979. The permit has remained unchanged since proof of beneficial use was submitted. A field examination fee will be requested so we can get this file back into the normal chain of processing. Data entry matches the permit as of this day.

Dates and Other Information:

Permit Proof Due Date: 7/1/1982
 Permit Proof Made Date: 6/29/1982
 Permit Approved Date: 7/13/1977
 Permit Moratorium Expiration Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Field Exam Date:
 Date Sent to State Office:
 Date Received at State Office:
 State or Federal:
 Owner Name Connector:
 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

Combined Use Limits:NOTESWater Supply Bank:

- old permit mistakenly overlooked in licensing work to clean up "ditches" for SRBA
- JFE KW's 6/13/06 letter, attached - permit also overlooked in mid-1980's exam fee process to reduce licensing backlog
- maybe owners (new owners?) can get licensing efforts at least partly advanced to protect this permit while SRBA claim pending



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

June 13, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

LYNN &/OR CLAYONE TUFT
C/O WAYNE L TUFT
17699 NORTHSIDE BLVD
NAMPA ID 83651

RECEIVED

JUN 13 2006

WATER RESOURCES
WESTERN REGION

RE: Permit No. 63-8782

Dear Permit Holders:

In review of the above referenced permit we find we need additional information from you to proceed with further action. We found that you submitted proof of beneficial use of this permit on June 29, 1982. However, in April of 1986 the Idaho Legislature enacted House Bill 671 that requires the payment of a fee before the department could conduct the field examination needed to issue a license confirming use of water under the permit. It has come to our attention that you were never notified of this requirement and the Department has never completed the process of licensing the permit.

Pursuant to Section 42-217, Idaho Code, holders of permits who have submitted proof of beneficial use but have not had their project examined for beneficial use shall submit the fee required in Section 42-221 within sixty (60) days of notification by the department that a license examination fee is required. Failure to submit the fee in the time allowed shall be cause for the director to advance the date of priority of the permit one (1) day for each day that the fee is late.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the proof of beneficial use form showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. A listing of certified examiners is available from this department upon request.

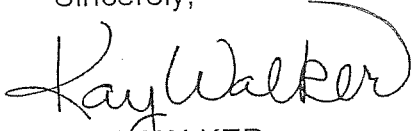
The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the proof of beneficial use sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the proof of beneficial use sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

If you have any questions in regard to this matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER

Sr. Water Resource Agent

Cc: IDWR, Western Region

SRBA CLAIM 63-8782

6/13/06

Search Information - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites

http://wenet/apps/appsmisc/infoSearch.asp

Query Workflow IDWR Web SRBA IWATRS

Information Search (WR/AJ)

Basin	Seque	Suffix	Version	Source Table	Basis	Status	Priority Date	DI	Source List	Water Use List	Owner List	Water
63	0702		1	wkducdgatorReco...	Permit	Active	1977-05-04	2.00	GROUND WA...	IRRIGATION	TUFT, CLAYD...	
63	0702			whWaterPermit	Permit	Active	1977-05-04	2.00	GROUND WA...	IRRIGATION	TUFT, CLAYD...	

The number of records is 3

View Documents Print Proof Report Print Transfer Part 2 Update Arcview

Parameters Results

Done Local intranet

start Search Information N/A Inbox - Microsoft 3:40 PM

- When claim filed, WR Record was erroneously listed as license
- WR Record corrected to permit per 6/12/06 d'base comment in WR Record
- Ownership change for permit requires \$25 Assignment from permit owner of Record (Tuft) to new property owner
- Suggest send cc of KWR 6/13/06 letter to party who filed ownership change for claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 8, 2006

WAYNE L TUFT
17699 NORTHSIDE BLVD
NAMPA, ID 83687

COURTNEY TUFT
17501 NORTHSIDE BLVD
NAMPA, ID 83687

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-5126

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 printout of the claim(s) for your reference only. You indicated, when this claim was filed, that the water right(s) was based a "Statutory Claim" to 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. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR 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.**"

If no evidence of this priority date 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. Please submit the required evidence supporting the priority date(s) by June 23, 2006.

Please let me know if have questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,


Vicky L. Music
Senior Water Resource Agent

Enclosures: Notice of claim report for A63-5126 and "Evidence of Priority" brochure

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 9, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

SHIRLEY JOHNSON
2133 W J7560 S S
W JORDON, UT 84084

RE: EVIDENCE OF PRIORITY-
Snake River Basin Adjudication Claim No(s): A63-5126

Dear SHIRLEY JOHNSON:

In the past, WAYNE, COURTNEY AND CLAYONE TUFT submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer-generated printout of the claim(s) for your reference. WAYNE, COURTNEY AND CLAYONE TUFT indicated, when this claim was filed, that the water right(s) was based on a "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. This 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.

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If no evidence of this priority date is submitted, or we do not hear from you by JUNE 23, 2006, this claim 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. Please call me as soon as possible to let me know if you may not be able to submit proof of priority or if you have any questions not covered by this letter and the enclosed pamphlet.

Respectfully Submitted,

Vicky L. Music
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet, Notice of Claim Report A63-5126

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



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 3, 2002

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, Water Works, Inc., to assist us with this task.

The purpose of this letter is to advise you that Water Works, Inc. 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 Water Works, Inc. with access to your water diversion system so that their personnel can conduct this field examination. Water Works, Inc. 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 Water Works, Inc. to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office

CONVERSATION MEMORANDUM

TO: CLAIM FILE NO. 63-5126

FROM: VICKY L MUSIC, SR. WATER RESOURCE AGENT, IDWR /
WESTERN REGION

SUBJECT: PHONE CALL WITH SHIRLEY JOHNSON RE EVIDENCE OF
PRIORITY

DATE: 9/15/2006

CC:

I called Shirley regarding the need for some clarification in her evidence of priority statement.

When Shirley's parents moved to the property in 1948, the old well was already on the farm. It was located close to her parents home. The lot that the old well in on is owned by the Wayne Tuft LLC and is not on Shirley's property. It was used for irrigation of a small field at that time that they moved in. The well was used to supplement the Pioneer Irrigation District water.

She said her parents considered it a shallow well but she does not know how deep it is. Shirley said it could never have irrigated the 86 acres her brother claimed it could when he filed the statutory claim in 1983, much less the 112 that was claimed in the SRBA claim.

I asked Shirley if I could send her this statement to sign and a recent aerial. I asked that she correct the locations of the wells and any of the other labels on the aerial that were incorrect and she said that she would.

VLM

Valley Moun

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5126

WATER RIGHT NUMBER: 63-5126

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE L TUFT 17699 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4740
Current Owner	COURTNEY TUFT 17501 NORTHSIDE BLVD NAMPA, ID 83687 (208)467-5935
Current Owner	CLAYONE O TUFT 17293 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4072

Priority Date: 01/01/1948

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	11/15	1.720 CFS	
	<u>Total Diversion:</u>		1.720 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4SE1/4	Sec. 4, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION Within CANYON County

T03N R02W S04	SWNE	33.0	T03N R02W S04	SENE	37.0
T03N R02W S04	NESE	37.0	T03N R02W S04	NWSE	28.0
Total Acres: 135					

Conditions of Approval:

Remarks:

Comments:

To whom it may concern,
my parents bought the farm in 1948. It was
leased to Kenneth Jugg until the fall of 1951.
They moved from Utah in 1952. The well 63-15264
was used to water beets & lime beans. This well
is close to their house on the land. The other well
is also close to the house. The former owner was
Lynn & Clayton Juff. 17293 Northside Blvd. Nampa, Idaho
83651

Under 7000

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5126

WATER RIGHT NUMBER: 63-5126

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE L TUFT 17699 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4740
Current Owner	COURTNEY TUFT 17501 NORTHSIDE BLVD NAMPA, ID 83687 (208)467-5935
Current Owner	CLAYONE O TUFT 17293 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4072

Priority Date: 01/01/1948

Basis: Beneficial Use

Status: Active

Source Tributary

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	1.720 CFS	
	<u>Total Diversion:</u>	1.720 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4NE1/4SE1/4 Sec. 4, Twp 03N, Rge 02W, B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T03N R02W S04	SWNE 33.0	T03N R02W S04	SENE 37.0
T03N R02W S04	NESE 37.0	T03N R02W S04	NWSE 28.0

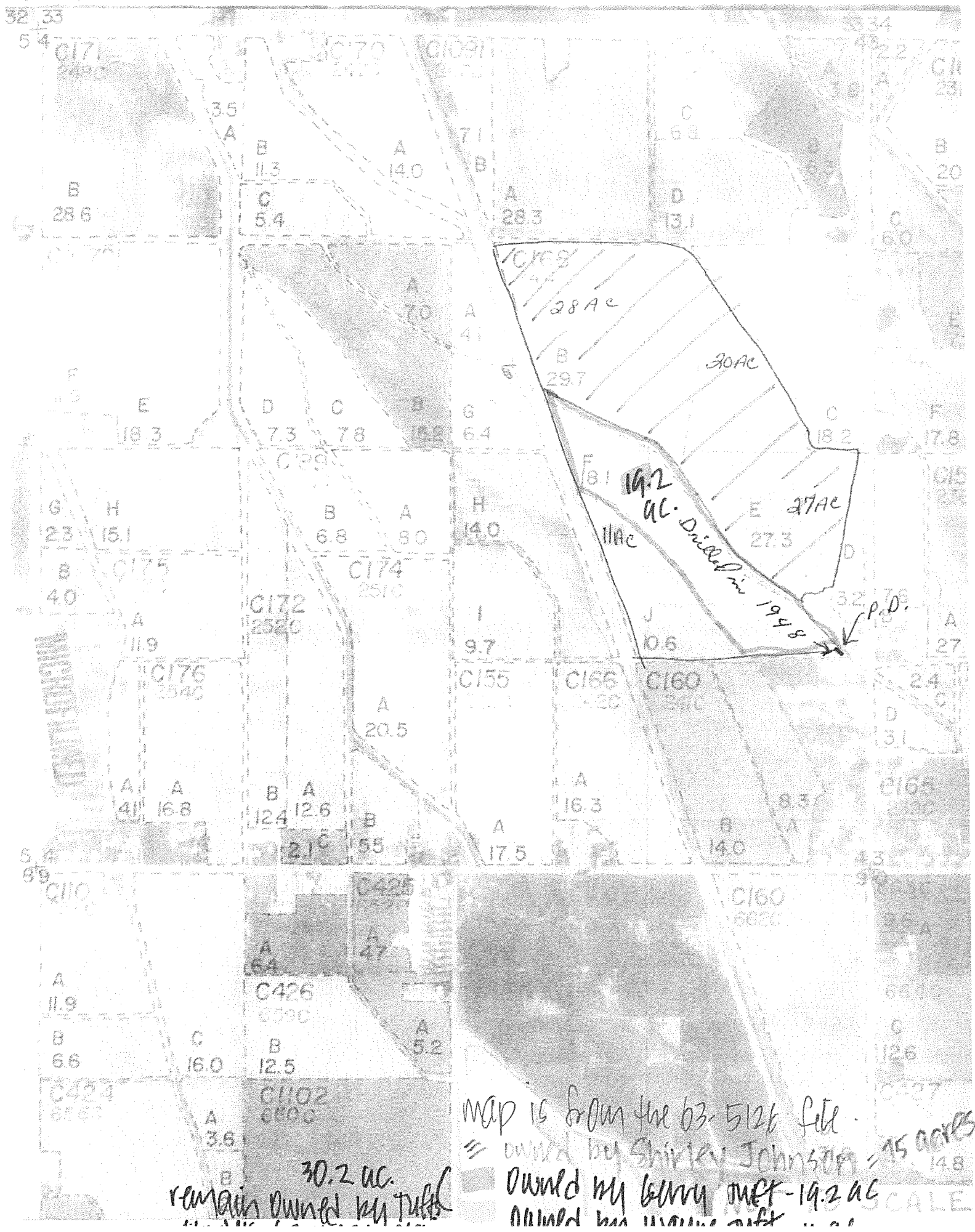
Total Acres: 135

Conditions of Approval:

Remarks:

Comments:

To whom it may concern,
My parents bought the farm in 1948. It was
leased to Kenneth Juggi until the fall of 1951.
They moved from Utah in 1952. The well 63-15264
was used to water beets & lime beans. This well
is close to their house on the land. The other well
is also close to the house. The former owner was
Lynn & Clayton Juff. 17293 Northside Blvd. Nampa, Idaho
83651





63-5126 & 63-8782
3N 2W S-4

1.7 acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that WAYNE L. TUFT & OR COURTNEY TUFT
(Name of Claimant)
RT. 5, BOX 5761, Nampa, ID 83651
(Mailing Address) (Zip Code) Telephone No. 466-3854

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1/1/1948

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)

GROUNDWATER tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.72</u>	Use <u>IRRIGATION</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		
Quantity	Use	Period of Use From	To		

(4) 1.72 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SE 1/4, Sec. 4 Twp. 3N Rge. 2W 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. CENTRIFUGAL 5 HP PUMP W/ FLOOD IRRIGATION - SIPHON TUBES

(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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>3N</u>	<u>3W</u>	<u>4</u>			<u>28</u>	<u>30</u>									<u>27</u>	<u>11</u>			<u>86</u>

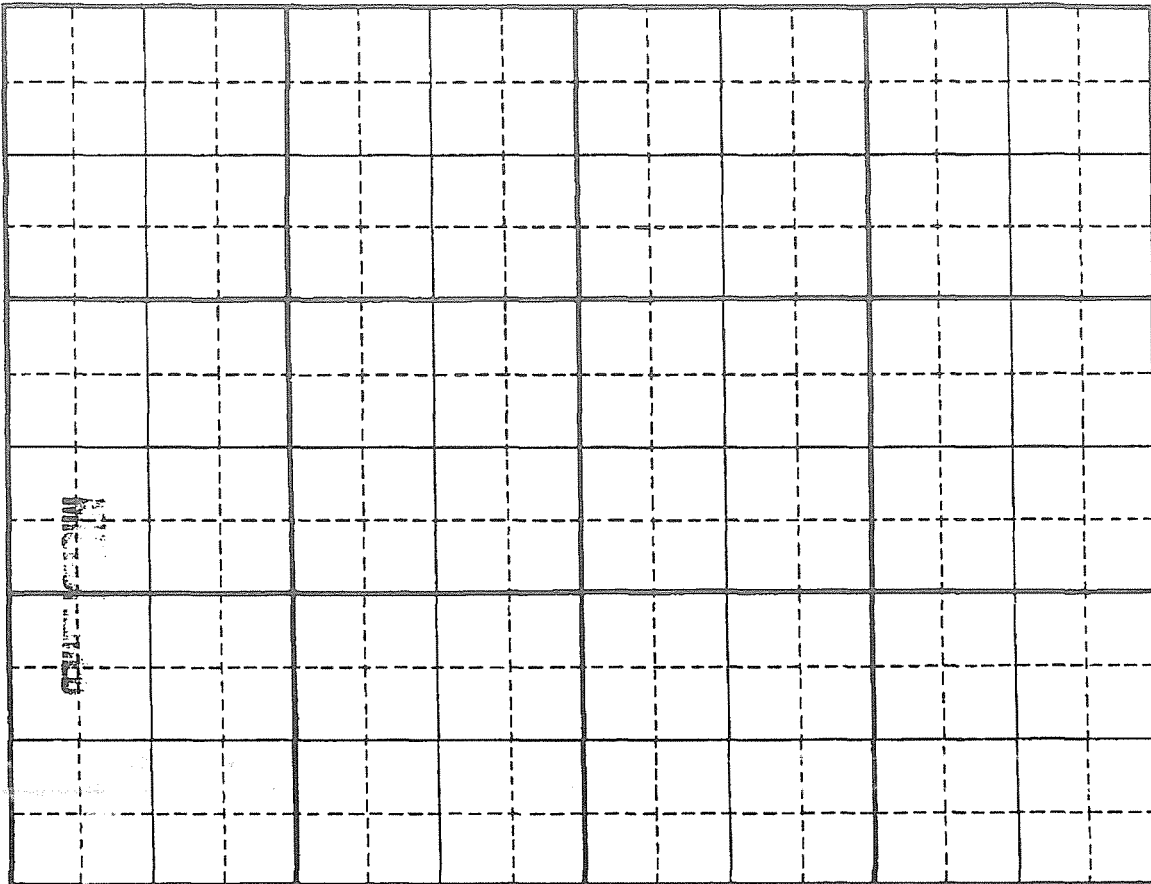
No. of acres 86

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

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:

(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 20 day of June, 1983.

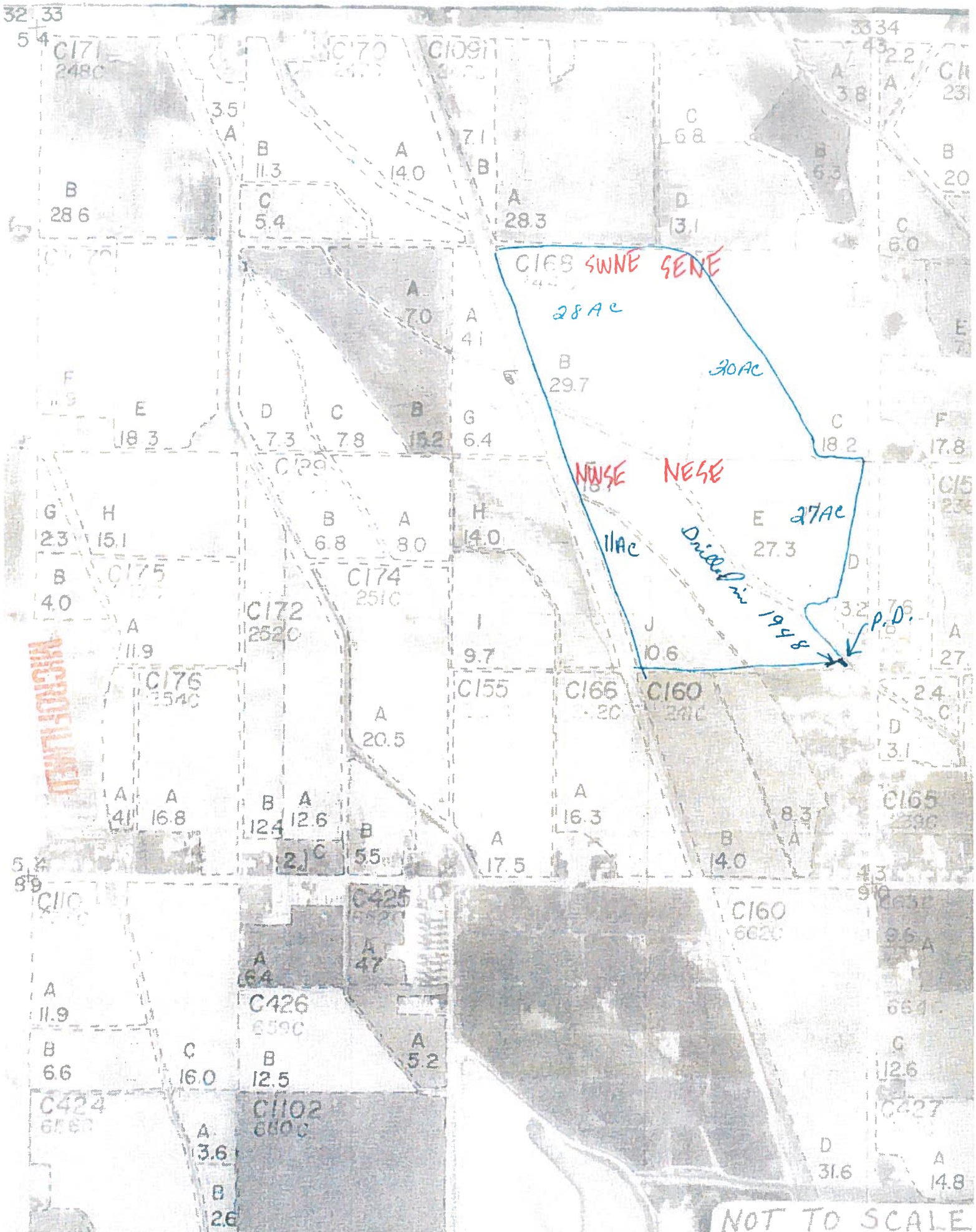
Wayne L. Tuft
(Claimant)

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JS Date 6/20/83 Exception filed by: _____ Date _____
Prelim. check by JS Date 6/20/83
\$30.00 fee received by JS Date 6/20/83 # 31075
Published in Boise Tribune
Dates June 11



Field Investigation Report

Completed by *Karan Waters*

Claim Number 63-5126

Contact:

Contact Date: 5/4/03

WAYNE L TUFT

17699 NORTHSIDE BLVD

NAMPA ID 83687

(208)467-5935

Source of Information

Courtney Tuft (Wayne's Son)

Contact Comments

Clayone passed away. Wayne's new #466-2673. Courtney is running the farm.

☒ **Verified**

☐ **New owner**

Appointment Date: 5/6/03

Appointment Time: 10:00 AM

POD id 201247

Legal Description 03N 02W 4 SE NE SE

Desc of Diversion W well 60' deep, 10" casing, and pump, gravity flow.

Site Tag # A0002009

GPS File Name 195

Motor Make Magnetic model 6-350171-0

Pump Make Fairbanks Morse s/n PL3168

Horsepower 7.5

Pressure gage 40 psi

pump bowl or static static

Depth level 6 Ft.

dyn. pump level 16 Ft.

POD Remarks:

*BGW Map used for static depth
*default psi used for theoretical
Supplemental well, It looks like the ditch system
that this well supplies will only water pou south of
the canal. Claimant was not available at the field
inspection for further information.

Pressure gage at sprinkler 0 psi

Bucket Measurment (gps) 0

Calc Method: Theoretical

Flow (cfs) 0.35

Photos

dsc00221 motor name plate
dsc00222 pump name plate
dsc00224 pod system
dsc00225 pod delivery pipe and ditch
dsc00226 pou from pod facing W



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-3333

JAMES RISCH
Governor

KATHLEEN BREHER
Director



top dsc00221, bottom dsc00222





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director



top dsc00224, middle dsc00225, bottom dsc00226



E-mailed for NCAPs to LH on 3/11/10 FOR

02/02/2010 CRAIG'S

SIGNATURE.

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

RIGHT NUMBER: 63-32482

NAME AND ADDRESS: SHIRLEY T JOHNSON FAMILY TRUST
C/O DEBRA BEDONT
C/O DAVID JOHNSON
11481 SPRING STONE DR
SOUTH JORDAN UT 84095

~~SHIRLEY JOHNSON~~
~~11481 SPRING STONE DR~~
~~SOUTH JORDAN UT 84095~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS
154.70 AFY

~~Right Nos. 63-32481 and 63-32482 are limited to a total combined diversion rate of 0.45 cfs and to a total combined annual diversion volume of 232.07 AF.~~

Right Nos. 63-32482 and 63-33284 are limited to a total combined diversion rate of 1.2 cfs.

PRIORITY DATE: 03/01/1948

POINT OF
DIVERSION:

T03N R02W S4 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.300 CFS 154.70 AFY

PLACE OF USE: IRRIGATION in CANYON County

T03N R02W S04	SWNE	22.00	T03N R02W S04	SENE	18.00
T03N R02W S04	NESE	17.00			

57 ACRES TOTAL

Rights Nos. 63-32482 and 63-33284 are limited to the irrigation of a combine total of 60 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Pioneer Irrigation District.

This right is a split from former right 63-5126.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-33283

Priority: May 04, 1977

Maximum Diversion Rate: 0.90 CFS

It is hereby certified that WAYNE L TUFT LLC
C/O CANDY SIMPSON
17851 MADISON RD
NAMPA ID 83687 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 4, 1977, has submitted
Proof of Beneficial Use on June 29, 1982. that the works have a diversion capacity of 2.11 cfs of water
from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

03/01 to 11/15

DIVERSION RATE

0.90 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4SE1/4

Sec. 4, Twp 03N, Rge 02W, 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	02W	4			14.5										12.5	21.0			48.0

Total Acres: 48

CONDITIONS OF APPROVAL

1. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 216.0 af at the field headgate for the lands above.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-33283

4. Right Nos. 63-32481 and 63-33283 are limited to the irrigation of a combined total of 59 acres in a single irrigation season.
5. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this _____ day of _____, 2010.

GARY SPACKMAN
Interim Director

Memorandum

Date: February 2, 2010

To: Shelley Keen

Cc: Jan Shurte

Nick Spencer

From: Craig L. Saxton

Re: Licensing of 63-33283 and 63-33284: SRBA involvement

After further review of the overlap relationship between draft licenses 63-33283 and 63-33284 and SRBA recommendations 63-32481 and 63-32482, I feel it is prudent to move forward issuing the licenses.

In our last discussion concerning these rights, we concluded that there was a need to review 63-33283 and 33284 and verify that they were truly supplemental to surface water, and that we might need to consider holding off on issuing licensing 63-33283 and 63-33284 until after SRBA action is taken on 63-32481 and 63-32482.

The question of if this right is supplemental is addressed in the memo to the file.

Move forward with the License:

63-8782 was recommended based on permit in the SRBA. In the process of reviewing 63-8782 for licensing, it was determined that 63-8782 should be split into what is now 63-33283 and 63-33284.

Right now the SRBA court is not aware of the split. The hearing scheduled for 2-23-10 is to check on the status of issuing license 63-8782. In addition, the court appears to have identified 63-32481 and 63-32482 as uncontested overlaps with 63-8782.

It appears that the SRBA court is waiting for action to be taken on 63-8287 (63-33283 and 63-33284).

I feel we should move forward with issuing licenses 63-33283 and 63-33284. Once issued, the SRBA staff will update the adjudication recommendation for 63-8782, which will result in splitting the right, and then update the court of this change by submitting an NCAP.

My analysis does indicate that if SRBA recommendations 63-32481 and 63-32482 are partially decreed as currently on record, they will not conflict with licenses 63-33283 and 63-33284 as proposed. However, for clarity, I would suggest that SRBA staff ask the court if changes could be made to the conditions on the recommendations to match better with licenses 63-33283 and 63-33284.

I am attaching the proposed ADR's for 63-32481 and 63-32482

STATUS CONFERENCE NOTES:

RIGHT NO. 63-8782

DATE: 9-22-09

63-32481 + 32482

Completed an ADR on 63-32482 -
uncontested overlap) - upped the af
amount to correctly reflect the $\frac{1}{2}$
X # of days in the inv. days (504)
for this st. JM Booth requested this due
to an error in our addition which
was shown in the combined limits
remark on this one + 63-32481. Then,
when 63-8782 is licensed (after all
the ownership info. is in) we will
NCAP it to the SRBA Court (in splits)
+ NCAP 63-32481 + 32482 (overlapping
its) to change the names on those
also (using the info. submitted to
Angie on the license 63-8782.

ADR for 63-~~32482~~ sent to S.O. on 9-22-09
See 9-30-09.

Next status conf (if needed) is 2/23/10 @ 2:30

Amended Director's Report
Right No. 63-32482

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

RIGHT NUMBER: 63-32482

NAME AND ADDRESS: SHIRLEY JOHNSON
11481 SPRING STONE DR
SOUTH JORDAN UT 84095

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS
154.700 AFY

Right Nos. 63-32481 and 63-32482 are limited to a total combined diversion rate of 0.45 cfs and to a total combined annual diversion volume of 232.07 AF.

PRIORITY DATE: 03/01/1948

POINT OF DIVERSION:

T03N R02W S4 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.300 CFS 154.70 AFY

PLACE OF USE: IRRIGATION in CANYON County

T03N R02W S04	SWNE	22.00	T03N R02W S04	SENE	18.00
T03N R02W S04	NESE	17.00			

57 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Pioneer Irrigation District.

This right is a split from former right 63-5126.

Shurte, Jan

From: Music, Vicky
Sent: Monday, June 22, 2009 9:56 AM
To: Shurte, Jan; 'Diana Delaney'
Subject: RE: 63-32481 and 63-32482

The error here is that the af for 63-32482 should be 154.71. The remark is correct.

Vicky Music

From: Shurte, Jan
Sent: Friday, June 19, 2009 9:48 AM
To: Music, Vicky
Cc: Shurte, Jan
Subject: FW: 63-32481 and 63-32482

Hi there - Diana Delaney sent me an email the other day. I guess she's following up on those with no response? Attached is the first email. Could you take a look at this for me. Thanks, Jan

From: Shurte, Jan
Sent: Friday, March 13, 2009 12:15 PM
To: Music, Vicky
Subject: FW: 63-32481 and 63-32482

Two more. Sorry. Jan

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Tuesday, March 03, 2009 2:49 PM
To: Shurte, Jan
Subject: 63-32481 and 63-32482

Jan,
These two rights have a combined annual diversion volume limit of 232.07 AF. However, 63-32481 is limited to 77.36 AFY, and 63-32482 is limited to 108.29 AFY, which when added together only totals 185.65 AFY. Please take another look at these.
Ted

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

9/22/2009

ADR

09/27/2006

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

RIGHT NUMBER: 63-32482

NAME AND ADDRESS: SHIRLEY JOHNSON
11481 SPRING STONE DR
SOUTH JORDAN UT 84095

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS
~~108.290 AFY~~ → 154.7

Right Nos. 63-32481 and 63-32482 are limited to a total combined diversion rate of 0.45 cfs and to a total combined annual diversion volume of 232.07 AF.

OK

PRIORITY DATE: 03/01/1948

POINT OF DIVERSION:

T03N R02W S4 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.300 CFS
~~108.290 AFY~~

154.7

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S04

SWNE

22.00

T03N R02W S04

SENE

18.00

T03N R02W S04

NESE

17.00

57 ACRES TOTAL

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

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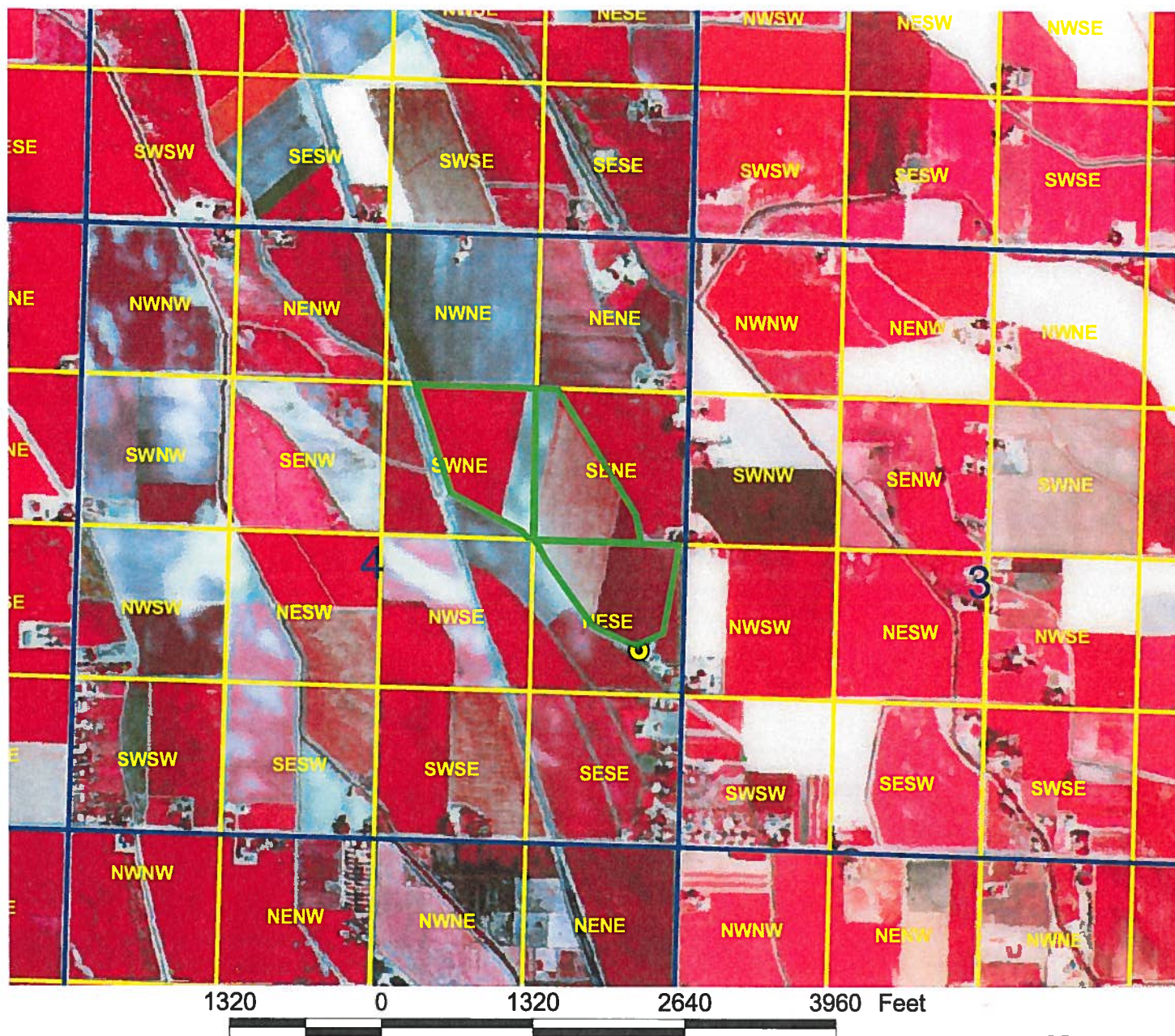
This right is a split from former right 63-5126.

RE COMMENTS
NOTE: AF AMOUNT CHANGED PER EMAIL
FROM JIM BOOTH. EAF IS BEING
INCREASED BASED ON THE CFS
X # OF DAYS.



State of Idaho
Idaho Department of Water Resources
Western Region

NT3N R2W SECTION 4
Water Right: 63-32482



TOTAL IRRIGATED ACRES = 57

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: September 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32482 V1

WATER RIGHT NUMBER: 63-32482 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLAYONE O TUFT 17293 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4072
Current Owner	SHIRLEY JOHNSON 11481 SPRING STONE DR SOUTH JORDAN, UT 84095
Original Owner	COURTNEY TUFT 17501 NORTHSIDE BLVD NAMPA, ID 83687 (208)467-5935
Original Owner	WAYNE L TUFT 17699 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4740

Priority Date: 03/01/1948

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	03/01 to 11/15	0.300 CFS	108.29 AF
	<u>Total Diversion:</u>	0.300 CFS	108.29 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 4, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION Within CANYON County

T03N R02W S04	SWNE	22.0	T03N R02W S04	SENE	18.0
---------------	------	------	---------------	------	------

T03N R02W S04	NESE	17.0
---------------	------	------

Total Acres: 57

Conditions of Approval:

1. E60 Right Nos. 63-32481 and 63-32482 are limited to a total combined diversion rate of 0.45 cfs and to a total combined annual diversion volume of 232.07 AF.
2. C18 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.
3. W40 Use of this right is combined with water from Pioneer Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32482 V1

4. P21 This right is a split from former right 63-5126.

Remarks:Comments:

1. vmusic 9/26/2006 PARENT

Comment: CLAIM 63-5126 SPLIT INTO 63-32481 AND 63-32482.

2. vmusic 9/26/2006 CLAIMS

Comment: STATUTORY CLAIM FILED IN 1983 STATES 86 ACRES IRRIGATION AND SRBA CLAIM FILED IN 1990 STATES 134 ACRES. I USED 86 ACRES AS THE BASIS FOR MY RECOMMENDATION BECAUSE IT MORE ACCURATELY REFLECTS THE HISTORICAL USE AND TO USE 134 ACRES WOULD RESULT IN A LOWER DUTY OF WATER.

3. vmusic 9/27/2006 OVERLAPS

Comment: POU OVERLAPS WITH PERMIT 63-8782

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	9/27/2006 1:27:43 PM	vmusic			Active
Priority Date	9/27/2006 1:28:21 PM	vmusic			Active
POD	9/27/2006 1:33:49 PM	vmusic			Active
Source	9/27/2006 1:35:11 PM	vmusic			Active
POU	9/27/2006 1:35:43 PM	vmusic			Active
Use	9/27/2006 1:38:36 PM	vmusic			Active
Season	9/27/2006 1:39:08 PM	vmusic			Active
Quantity	9/27/2006 1:40:24 PM	vmusic			Active
Summary			09/27/2006	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/27/2006 1:34:31 PM	vmusic	Updated shape
POU	9/27/2006 1:36:35 PM	vmusic	Updated shape for Active POU
Contacts	9/27/2006 1:27:45 PM	vmusic	(No) 1. Do you want to schedule an appointment?
			Comment for 1: DESKTOP REVIEW

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32482 V1

General	9/27/2006 1:28:23 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - STATEMENTS PROVIDED BY SHIRLEY JOHNSON
Summary	9/27/2006 1:48:17 PM	vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	9/27/2006 1:33:50 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	9/27/2006 1:35:12 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FIELD EXAM 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32482 V1

POU	9/27/2006 1:35:45 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - AERIALS, 2003 FIELD EXAM
Use	9/27/2006 1:38:38 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - 2003 FIELD EXAM, AERIALS
Season	9/27/2006 1:39:09 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/27/2006 1:40:26 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - THEORETICAL Description for Question 10 - .21 CFS X 1.9835 X 260 IRR DAYS = 108.29
POU	9/27/2006 3:17:39 PM	vmusic	Updated shape for Active POU

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32482

WATER RIGHT NUMBER: 63-32482

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLAYONE O TUFT 17293 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4072
Current Owner	SHIRLEY JOHNSON 11481 SPRING STONE DR SOUTH JORDAN, UT 84095
Original Owner	COURTNEY TUFT 17501 NORTHSIDE BLVD NAMPA, ID 83687 (208)467-5935
Original Owner	WAYNE L TUFT 17699 NORTHSIDE BLVD NAMPA, ID 83687 (208)466-4740

Priority Date: 01/01/1948

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

Beneficial Use

IRRIGATION

<u>From</u>	<u>To</u>
06/15	11/15

Diversion Rate

0.790 CFS

Total Diversion:

0.790 CFS

Annual Volume

108.29

156.39

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SE1/4NE1/4SE1/4

Sec. 4, Twp 03N, Rge 02W, B.M.

Place of Use

IRRIGATION Within CANYON County

T03N R02W S04 SWNE 28.0 T03N R02W S04 SENE 19.0

T03N R02W S04 NESE 20.0

Total Acres: 62

Conditions of Approval:

1. CHANGE OF OWNERSHIP L.GAGNON REVIEWED BY V. MUSIC
2. This right is a split from former right 63-5126 .

Remarks:

WYO Pioneer Irr water used

Q combined use due to system capacity

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

Desktop review / vlm

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-32482 split from 63-5126

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
☒ NEW OWNER C/O PROGRESS
☐ No change Address
☐ NEW ADDRESS
☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: 6W 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

see claims and field exam 5-1-2003

OVERLAP REVIEW

Other water rights with the same point of diversion: SPIT 63-32481

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

yes - additional acres + but not owned by claimant

WATER USES

☒ No change

☐ Different Uses

Use irv From 3/1 To 11/15 Amount 21 CFS 108.29 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

$(58)(4.5) = 256.5$ $(68)(.0052) = .3536$ $(.30)(260) = 78$ $(.70)(21)(1.4835)(260) = 108.29$ 156.39

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount 21 CFS 108.29 AFA 156.39

☐ 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: permit 63-0789

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

yes - additional POD & flow on same 62 acres.

Delivery System Narrative: see claim and field order 2003

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Wyo Pioneer Irr District water used
21" split from 63-5126.
60" limited to .45 cfs & w/63-32481,
232.07 acs
63-32481 diverted here.

- (1) claimant - Shirley Johnson - says this is a shallow well incapable of providing much water to acres claimed. mainly use Pioneer water. doesn't know why brother claimed so many acres. doesn't know when pump was changed from 5 hp (stat claim) to 7.5 hp (SKBA)
- (2) Unwired - ran several. got range of .42 - .58. Assume flow = 10' b/s. water found at 6' b/s in 2nd well.
- (3) used 92 acres to figure duty of water which is more accurate than statutory claim map. using 135 acres = lower du. rate

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

9-27-06

W. J. W. J.

$$\frac{(8.8)(.7)(7.5)}{10' + (2.31)(40)} = \frac{46.2}{102.4} = .45 \text{ cfs}$$

$$\frac{.45}{92} = .0049 \text{ cfs/ac}$$

$$.0049 \times 62 = .3038 \text{ cfs}$$

$$.3038 - .0908 = .213 \text{ cfs}$$

I am trying to be fair to claimants who claimed in the SKBA many more acres than historically irrigated from this well.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32482

09/27/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-5126	Claim	03N	02W	4	NE	SE		GROUND WATER	COURTNEY TUFT
63-8782	Claim	03N	02W	4	NE	SE		GROUND WATER	WAYNE L TUFT
63-20561	Claim	03N	02W	4	NE	SE		GROUND WATER	CLAYONE O TUFT
63-32481	Claim	03N	02W	4	NE	SE		GROUND WATER	COURTNEY TUFT
63-32482	Claim	03N	02W	4	NE	SE		GROUND WATER	SHIRLEY JOHNSON
63-5126	Water Right	03N	02W	4	NE	SE		GROUND WATER	WAYNE L TUFT
63-20561	Water Right	03N	02W	4	NE	SE		GROUND WATER	CLAYONE O TUFT

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-32482

09/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8782	Claim	03N	02W	4	SW	NE		IRRIGATION	28/112	WAYNE L TUFT
12481	Claim	03N	02W	4	SW	NE		IRRIGATION	10/73	COURTNEY TUFT
12482	Claim	03N	02W	4	SW	NE		IRRIGATION	23/62	SHIRLEY JOHNSON
5126	Water Right	03N	02W	4	SW	NE		IRRIGATION	28/86	WAYNE L TUFT
8782	Claim	03N	02W	4	SE	NE		IRRIGATION	23/112	WAYNE L TUFT
12481	Claim	03N	02W	4	SE	NE		IRRIGATION	18/73	COURTNEY TUFT
12482	Claim	03N	02W	4	SE	NE		IRRIGATION	19/62	SHIRLEY JOHNSON
5126	Water Right	03N	02W	4	SE	NE		IRRIGATION	20/86	WAYNE L TUFT
10559	Water Right	03N	02W	4	SE	NE		DOMESTIC		REBECCA H TUFT
10560	Water Right	03N	02W	4	SE	NE		DOMESTIC		WAYNE L TUFT
8782	Claim	03N	02W	4	NE	SE		IRRIGATION	28/112	WAYNE L TUFT
12481	Claim	03N	02W	4	NE	SE		IRRIGATION	17/73	COURTNEY TUFT
12482	Claim	03N	02W	4	NE	SE		IRRIGATION	20/62	SHIRLEY JOHNSON
5126	Water Right	03N	02W	4	NE	SE		IRRIGATION	27/86	WAYNE L TUFT
10561	Water Right	03N	02W	4	NE	SE		DOMESTIC		CLAYONE O TUFT

CONVERSATION MEMORANDUM

TO: CLAIM FILE NO. 63-5126

-split: 63-32481

63-32482

RECEIVED

SEP 27 2006

WATER RESOURCES
WESTERN REGION

FROM: VICKY L MUSIC, SR. WATER RESOURCE AGENT, IDWR /
WESTERN REGION

SUBJECT: PHONE CALL WITH SHIRLEY JOHNSON RE EVIDENCE OF
PRIORITY

DATE: 9/15/2006

CC:

I called Shirley regarding the need for some clarification in her evidence of priority statement.

When Shirley's parents moved to the property in 1948, the old well was already on the farm. It was located close to her parents home. The lot that the old well in on is owned by the Wayne Tuft LLC and is not on Shirley's property. It was used for irrigation of a small field at that time that they moved in. The well was used to supplement the Pioneer Irrigation District water.

She said her parents considered it a shallow well but she does not know how deep it is. Shirley said it could never have irrigated the 86 acres her brother claimed it could when he filed the statutory claim in 1983, much less the 112 that was claimed in the SRBA claim.

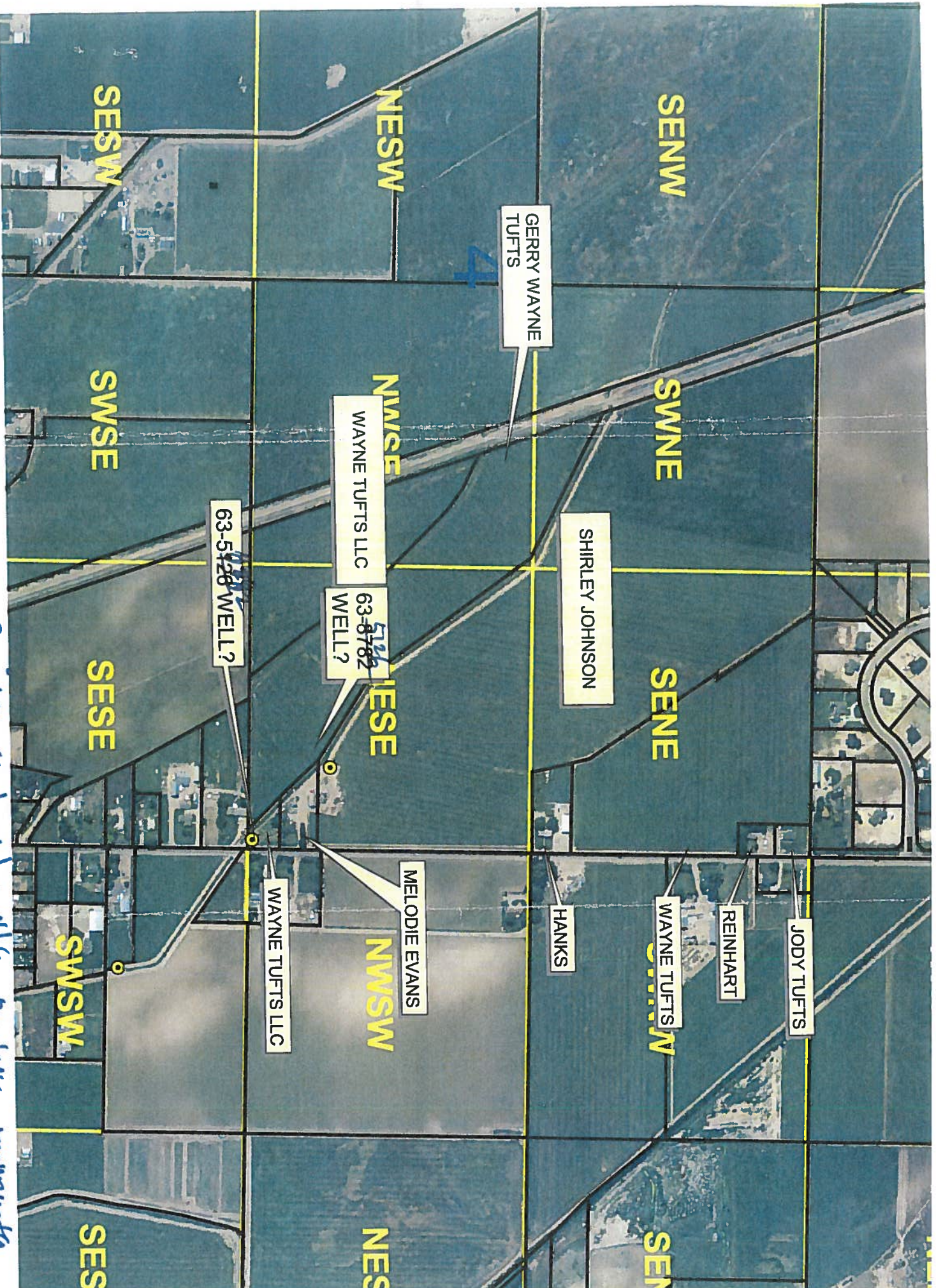
I asked Shirley if I could send her this statement to sign and a recent aerial. I asked that she correct the locations of the wells and any of the other labels on the aerial that were incorrect and she said that she would.

VLM

Vicky,

*Everything appears to be correct to the best
of my knowledge.*

*Thanks
Shirley Johnson*



2004 AERIAL OF POU OF 63-5126 AND 63-8782

quinn said old well is on her property

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-32482

SHIRLEY JOHNSON
11481 SPRING STONE DR
SOUTH JORDAN UT 84095

RECEIVED

OCT 19 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-13-06 SIGNATURE: Shirley I. Johnson

Please print your name: Shirley T. Johnson

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

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: A63-05126

Date Received: 2/28/90

Receipt No: 2015138/2015139

Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: WAYNE L. TUFT
Address: 17699 NORTHSIDE BLVD.
NAMPA, ID

466-2673

208-466-4740

AAA Auto

OR

Name: → COURTNEY TUFT
Address: 17501 NORTHSIDE RD.
NAMPA, ID

83687

208-467-5935

83687

OR

Name: *passed away* CLAYONE O. TUFT
Address: 17293 NORTHSIDE BLVD.
NAMPA, ID

83687

208-466-4072

Spring Auto Sales

2. Date of Priority: JAN 01, 1948

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02W	4	SE	NE	SE		CANYON

5. Description of diverting works:

WELL 60' DEEP, 10" CASING, AND PUMP, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.720		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

472.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-05126

Page

1

Date: 02/02/90

MICROFILMED

AUG 20 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	02W	4	SW		NE		IRR	33.0
			SE		NE		IRR	37.0
			NE		SE		IRR	37.0
			NW		SE		IRR	28.0
Section Acres								135.0
Total Acres								135.0

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:

THIS RIGHT IS SUPPLEMENTAL TO PIONEER IRRIGATION DIST.

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): Clayton O. Zuplt Date: Feb. 2, 1990
Brentley Zuplt Date: 2-2-90

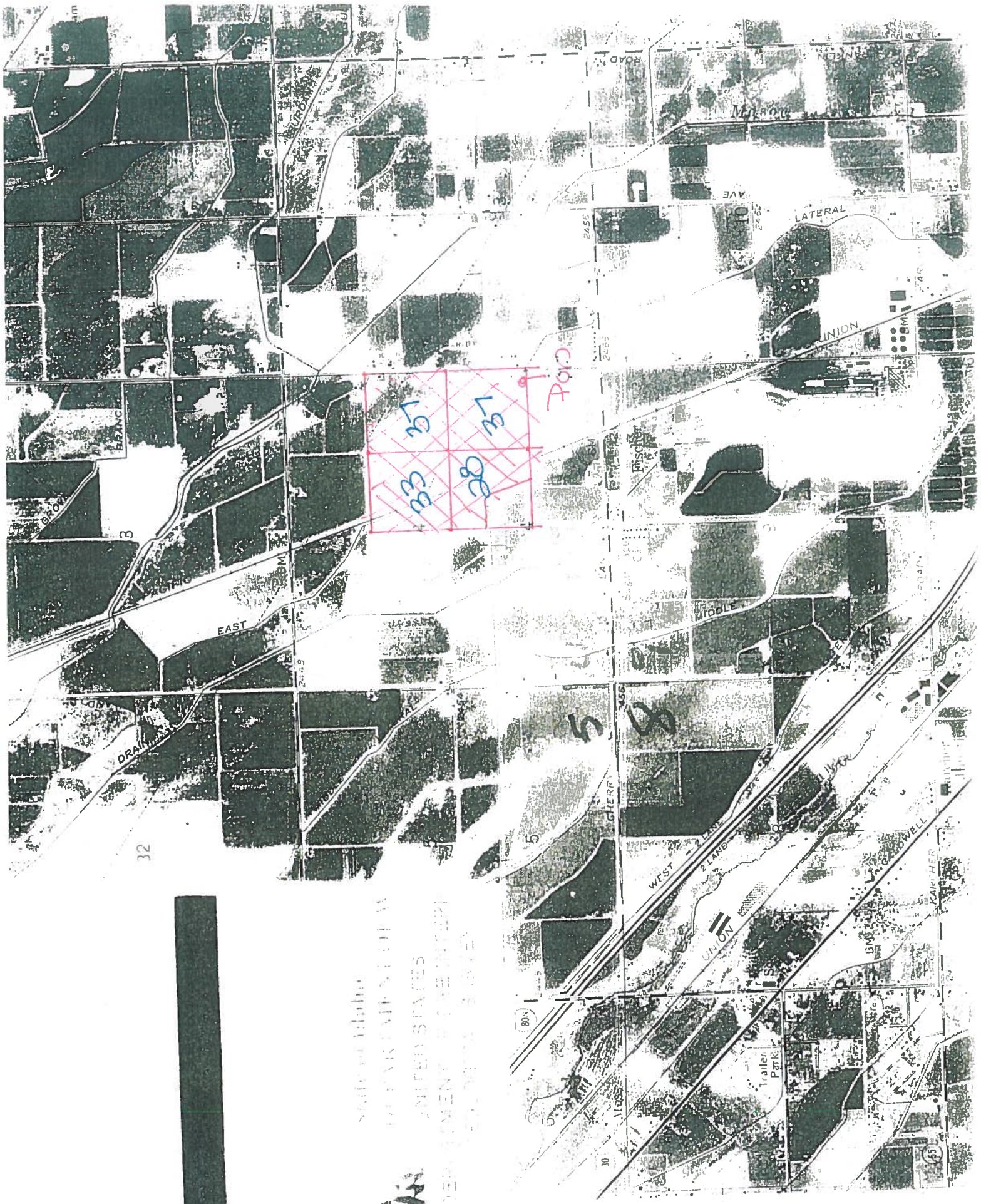
State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of February 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994



State of Idaho
DEPARTMENT OF LAND
UNITED STATES
DEPARTMENT OF AGRICULTURE

MICROFILMED
AUG 20 1992

Receipt Details for ID C015139

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/28/1990 2:57:21 PM	2/28/1990	State	\$115.00	Check
Payer		TUFT, WAYNE L./BETTY L.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2388			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$115.00	ADJUDICATION FEE	410162	9337	0 0		6490

Refund(s):

Amount	Payee	Date	Document Number
\$40.00	WAYNE L./BETTY L. TUFT	3/14/1990	

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	20560		\$25.00	Claim
63	5126		\$50.00	Claim
63	8782		\$40.00	Claim

Print Report

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

RECEIVED

JUN 05 2003

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, 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
	63-5126	✓			
	63-8782	✓			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. None
- 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) are 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)

Courtney Tuff

17501 Northside Blvd., Nampa, ID 83687

4. New Owner/Claimant(s)

Take D. or Paula E. Hanks

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

New Mailing Address

17501 Northside Blvd.

City, State and ZIP Code

Nampa, ID 83687

New Telephone Number

(208) 461-4544

5. Date you acquired the property

February 7, 2002



PC 41889 INSTRUMENT NO. 200206827

WARRANTY DEED

For Value Received

Courtney D. Tuft and Rebecca H. Tuft, husband and wife

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

Jake D. Hanks and Paula E. Hanks, husband and wife

hereinafter referred to as Grantee, whose current address is

17501 Northside Blvd, Nampa, ID 83687

the following described premises, to-wit:

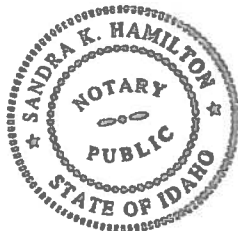
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART THEREOF.

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 that Grantor will warrant and defend the same from all claims whatsoever.

Dated: February 5, 2002.

Courtney D. Tuft by Rebecca H. Tuft
Courtney D. Tuft *attorney in fact*

Rebecca H. Tuft
Rebecca H. Tuft



STATE OF IDAHO)

ss.

COUNTY OF Ada)

On This 7th day of February, in the year 2002, before me, a Notary Public in and for said State, personally appeared Courtney D. Tuft and Rebecca H. Tuft, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 7th day of February, 2002, before me, a notary public, personally appeared Rebecca H. Tuft known to me to be the person whose name is subscribed to the within instrument as the attorney-in-fact of Courtney D. Tuft and acknowledged to me that she subscribed the name of Courtney D. Tuft thereto as principal, and his own name as attorney-in-fact.

her

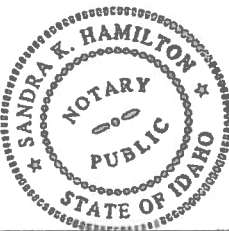
Sandra K. Hamilton

Residing at: Boise, Idaho
Comm. Expires: 6-10-2006

Notary Public of Idaho

Residing at Boise

Commission expires: 6-10-2006



First American Title Company of Idaho

EXHIBIT "A"

This parcel is a portion of the Southeast Quarter of the Northeast Quarter of Section 4, Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

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

North 0° 22' 00" East along the Easterly boundary of said Southeast Quarter of the Northeast Quarter a distance of 12.57 feet to a point which lies 2651.65 feet North from the Southeast corner of said Section 4; said point is the TRUE POINT OF BEGINNING; thence continuing

North 0° 22' 00" East along said Easterly boundary a distance of 182.00 feet; thence

North 88° 56' 23" West a distance of 425.77 feet to a point on the Westerly boundary of the parcel of land described in Warranty Deed recorded as Instrument No. 603044, records of Canyon County; thence

South 14° 13' 00" East (of Record South 14° 35' East) a distance of 192.87 feet to the Southerly boundary of said described parcel; thence

South 89° 33' 25" East along said Southerly boundary a distance of 377.18 feet (of Record South 89° 51' East 376 feet) to the TRUE POINT OF BEGINNING.

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RECORDED

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CANYON CNTY RECORDER

BY

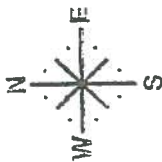
[Signature]

REQUEST PIONEER - CALDWELL

[Signature]

RHT

Sec. 4 T3N R2W



THIS IS NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. PIONEER TITLE COMPANY MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF THE MAP AND ASSUMES NO LIABILITY FOR IT.

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