

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 63-32362
Date Received: 2/14/1990
Receipt No: x777777
Received By:

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

1. Name of Claimant(s)

MARTY SEWARD Phone:
28765 HWY 20/26
PARMA ID USA 83660

JOSEPH SEWARD Phone:
28765 HWY 20/26
PARMA ID USA 83660

2. Date of Priority: 03/15/1915

3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05W	8	NW SW	CANYON	

5. Description of diverting works:

PUMP & SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.07	

7. Total Quantity Appropriated is:

0.07 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
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06N	05W	8	NW	SW	IRRIGATION	3.3
					Section Acres	3.3
					Total Acres	3.3

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

THIS MAP IS ALSO USED FOR A63-04493.

This right is a split from former right 63-20975.

15. Basis of Claim: Beneficial Use

RECEIVED

MAY 10 2006

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-20975					

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

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

OR

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

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

Kenneth Klein & Fern Klein
PO Box 2432 Nyssa ORE 97913

4. New Owner/Claimant(s)

Joseph and/or Marty Seward

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

New Mailing Address

28765 Hwy 2026

City, State and ZIP Code

Parma ID 83660

New Telephone Number

541 235 3123 (CELLPH)

5. Date you acquired the property

2003

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	0.7 CFS	3.3 AC
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	0.7 CFS	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

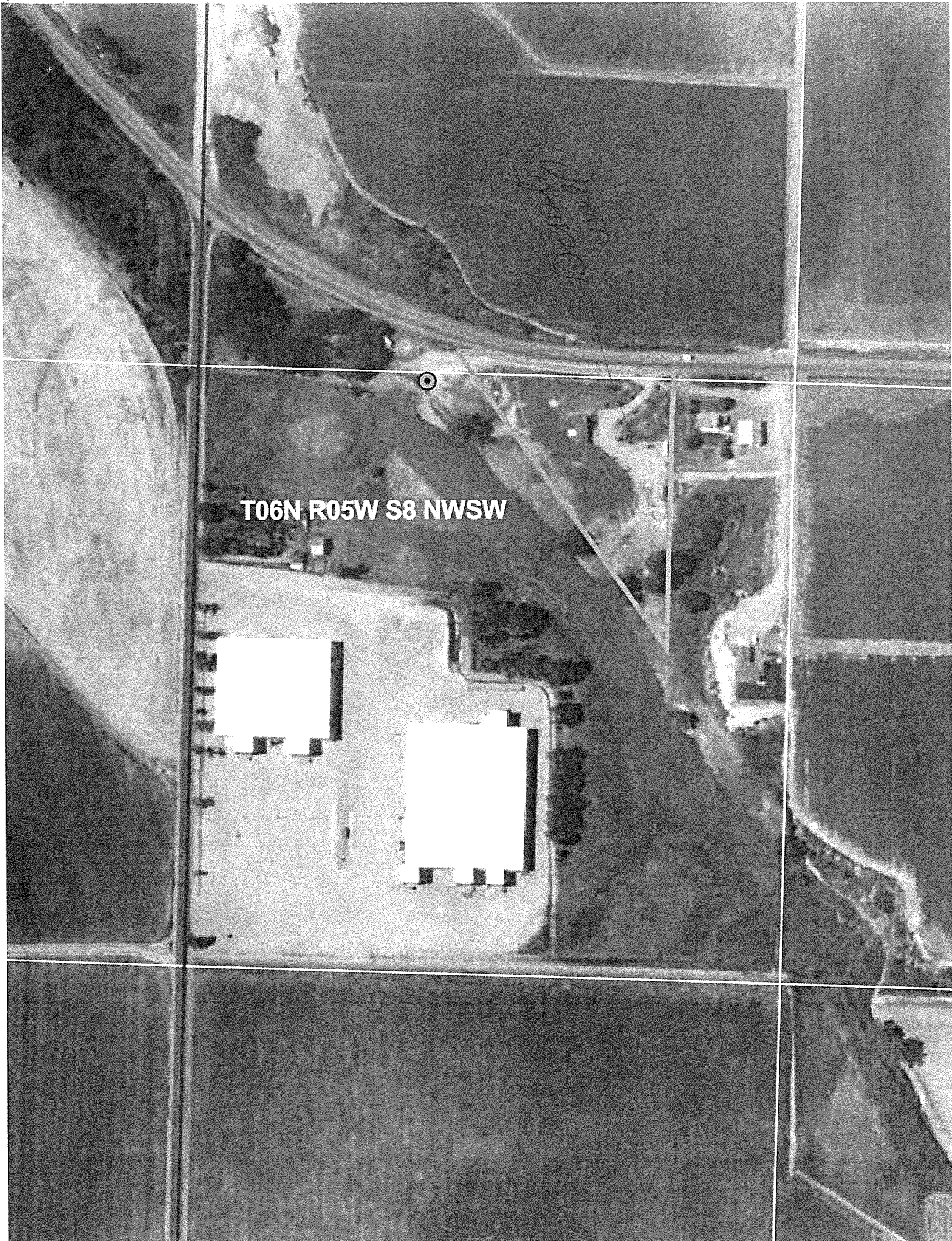
Joseph L. Lawrence

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 DAN Date 5-10-06 Fee NO FEE SRBA
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

T06N R05W S8 NWSW

Deer Creek



INSTRUMENT NO.

200329807

WARRANTY DEED

For Value Received, JAKE BECKER and NORMA BECKER, husband and wife, of Bouse, Arizona, "GRANTORS", do hereby grant, bargain, sell and convey unto JOSEPH L. SEWARD, a married man, dealing with his sole and separate property, of Nyssa, Malheur County, Oregon, the "GRANTEE", the following described premises situate in Canyon County, State of Idaho, and more particularly described in Exhibit "A" attached hereto and made a part hereof by reference thereto as though set forth herein in full verbatim.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said GRANTEE, his heirs and assigns forever. And said GRANTORS do hereby covenant to and with the GRANTEE that they are the owners in fee simple of said premises; and that it is free of all encumbrances, and that they will warrant and defend the same from all claims whatsoever.

DATED This 4 day of ^{April}~~March~~, 2003.

Jake Becker
JAKE BECKER
GRANTORS

Norma Becker
NORMA BECKER

STATE OF ^{Arizona}~~IDAHO~~)
County of ^{La Paz}~~Canyon~~) ss.

On this 4 day of ^{April}~~March~~, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared JAKE

BECKER and NORMA BECKER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

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



Carolyn Glenn
NOTARY PUBLIC FOR ~~IDAHO~~ *Idaho*
Residence: ~~Nampa, Idaho~~ *Boise, ID*
My Commission Expires *10-9-06*

The location of said property is TX 6 LS TX 6-A, 97655 & LS TX 98261 IN SW SEC 8, T6N, R5W. TBD HWY 20-26, PARMA, ID. 83660.

LEGAL DESCRIPTION

EXHIBIT A

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (SOUTHWEST 1/16 OF SECTION 8); THENCE

NORTH 00°13'00" WEST ALONG A 1/16 LINE A DISTANCE OF 179.91 FEET TO THE REAL POINT OF BEGINNING; THENCE

NORTH 37°24'08" WEST A DISTANCE OF 1,409.46 FEET TO A POINT IN THE NORTH BOUNDARY LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

EAST ALONG THE NORTH BOUNDARY LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 199.95 FEET; THENCE

SOUTH A DISTANCE OF 8.52 FEET; THENCE

EAST ALONG THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY 20-26 A DISTANCE OF 651.97 FEET TO A POINT IN THE EAST BOUNDARY LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

SOUTH 00°13'00" EAST ALONG A 1/16 LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1,111.05 FEET TO THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

NORTH 0°13'00" WEST ALONG THE EAST BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 179.91 FEET TO THE REAL POINT OF BEGINNING; THENCE

NORTH 37°24'08" WEST A DISTANCE OF 1,436.28 FEET (OF RECORD 1,409.46 FEET) TO A POINT ON THE NORTH BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

NORTH 89°52'29" EAST ALONG THE NORTH BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 125.67 FEET; THENCE

SOUTH 37°24'08" EAST A DISTANCE OF 1,228.35 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

SOUTH 0°13'00" EAST A DISTANCE OF 165.45 FEET TO THE TRUE POINT OF
Continued on next page

Continuation of Schedule A - Legal Description

BEGINNING.

ALSO EXCEPTING THEREFROM

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 8, TOWNSHIP 6 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY 20-26, WHICH POINT IS NORTH 89°57'12" WEST A DISTANCE OF 260 FEET FROM THE EAST BOUNDARY OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

SOUTH 0°13'00" EAST A DISTANCE OF 210 FEET TO THE POINT OF BEGINNING; THENCE

NORTH 89°47'00" EAST A DISTANCE OF 260 FEET TO THE EAST BOUNDARY OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

SOUTH 0°13'00" EAST ALONG THE EAST BOUNDARY OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER TO A POINT 345.36 FEET NORTH OF THE SOUTHEAST CORNER OF THE SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

NORTH 37°24'08" WEST A DISTANCE OF 430.18 FEET; THENCE

NORTH 0°13'00" WEST A DISTANCE OF 402.74 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. TOGETHER WITH AN INGRESS-EGRESS EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY 20-26 AND THE EAST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 8, TOWNSHIP 6 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO; THENCE

NORTH 89°57'12" WEST A DISTANCE OF 50 FEET; THENCE

SOUTH 0°13'00" EAST A DISTANCE OF 209.04 FEET; THENCE

NORTH 89°47'00" EAST A DISTANCE OF 50 FEET, MORE OR LESS, TO THE EAST BOUNDARY OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

NORTH 0°13'00" WEST ALONG SAID EAST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 209.04 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

Continued on next page

Continuation of Schedule A - Legal Description

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 8, TOWNSHIP 6 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY 20-26 AND THE EAST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 8, TOWNSHIP 6 NORTH, RANGE 5 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO; THENCE

NORTH 89°57'12" WEST A DISTANCE OF 260 FEET; THENCE

SOUTH 0°13'00" EAST A DISTANCE OF 210 FEET; THENCE

NORTH 89°47'00" EAST A DISTANCE OF 260 FEET, MORE OR LESS, TO THE EAST BOUNDARY OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE

NORTH 0°13'00" WEST ALONG SAID EAST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 209.04 FEET, MORE OR LESS TO THE POINT OF BEGINNING. SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE EASTERLY 50 FEET.

200329807

RECORDED

2003 FEB 19 PM 4 49

16 NOEL JAMES
CANYON CNTY RECORDER
BY *[Signature]*

REQUEST STEWART TITLE-MANIP
TYPE *[Signature]* FEE 15.
15.

After Jan

INSTRUMENT NO 698263

WARRANTY DEED

DALE R. NELSON and VIRGINIA P. NELSON, husband and wife, called grantors herein, hereby convey to KENNETH W. KLEIN and FERN L. KLEIN, husband and wife, whose address is 1300 North 9th, Payette, Idaho, the following described real property:

A tract of land situated in the Northwest Quarter of the Southwest Quarter of Section 8, Township 6 North, Range 5 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of said Northwest Quarter of the Southwest Quarter (SW 1/16 of Section 8); thence North 00° 13' 00" West along a sixteenth line a distance of 179.91 feet to the REAL POINT OF BEGINNING; thence North 37° 24' 08" West a distance of 1409.46 feet to a point in the North boundary line of the Northwest Quarter of the Southwest Quarter; thence East along the North boundary line of the Northwest Quarter of the Southwest Quarter, a distance of 199.95 feet; thence South a distance of 8.62 feet; thence East along the Southwesterly right-of-way of State Highway 20-26 a distance of 651.97 feet to a point in the East boundary line of the Northwest Quarter of the Southwest Quarter; thence South 00° 13' 00" East along a sixteenth line of the Northwest Quarter of the Southwest Quarter, a distance of 1111.05 feet to the REAL POINT OF BEGINNING.

TOGETHER with the right to appropriate 5/10ths cubic feet per second of water from a certain un-named stream which meanders over, across, and along the Westerly boundary line of the tract conveyed herein, and the grantors convey herein to the grantees their heirs and assigns the perpetual right and easement over and across the adjoining lands retained by the said grantors for access to the said un-named stream for the purposes of obtaining irrigation water at any point or place along that common boundary line and the grantors hereby reserve for themselves the right to appropriate 2/10th cubic foot per second of water of said un-named stream.

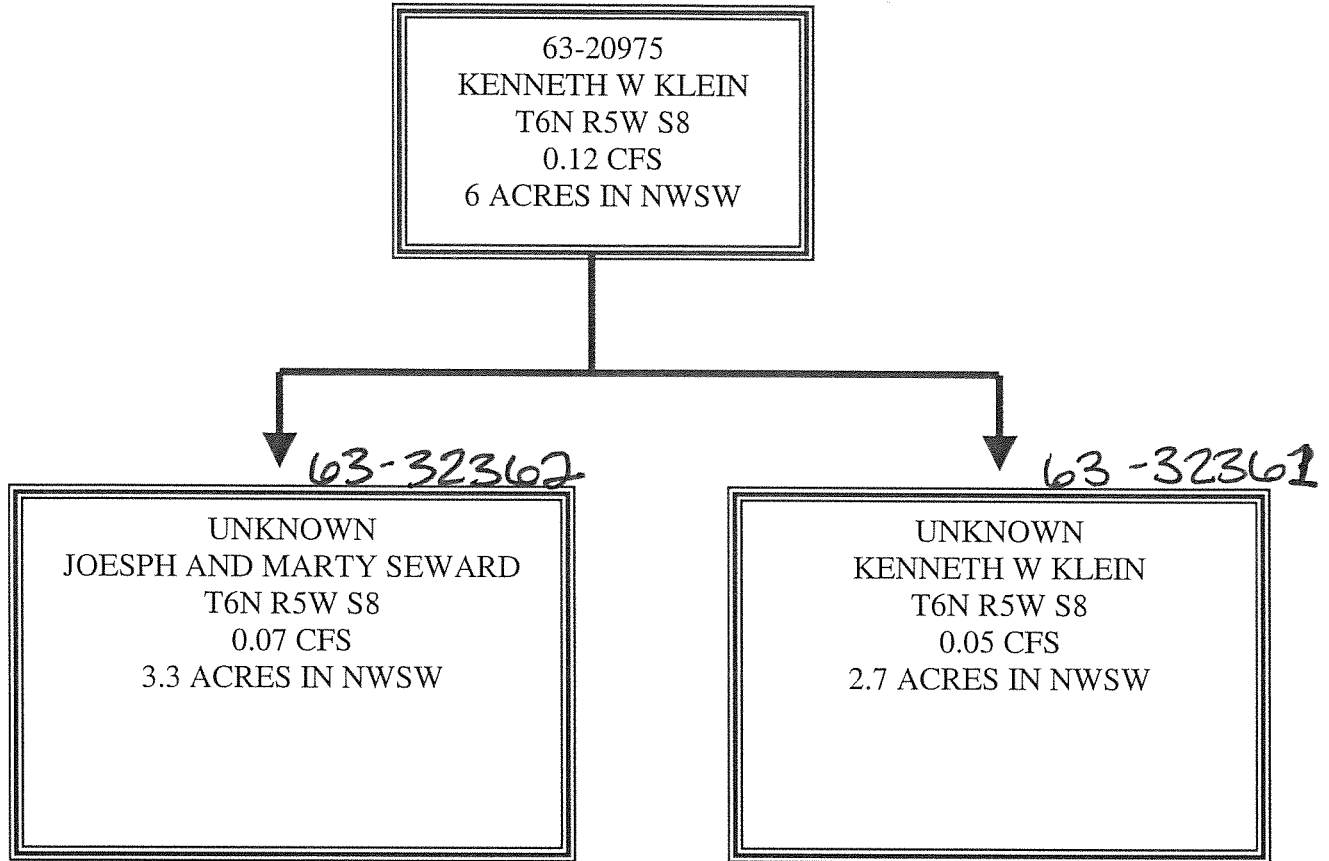
SUBJECT TO right-of-way deed by R. H. Martin and Verna Martin, his wife, to State of Idaho, dated November 2, 1933, and recorded March 28, 1934, in Book 124 of Deeds, page 223, records of Canyon County, Idaho, for a right of way for a public highway, to-wit: All that portion of the NW 1/4 of Sec. 8-6-5 lying, situate N 1/2 from a line 33 feet distant S 1/2 and parallel with the center line of said highway as shown on the official plat of the Old Oregon Trail (S.B.) Spur to Nyssa Bridge Highway Survey, lying in the NW 1/4 of the SW 1/4 Sec. 8-6-5. There is also granted hereby an easement adjacent to the highway right-of-way for relocation of all irrigation and/or drainage ditches and structures now located on such right of way and such surface drain ditches as may be necessary to the proper construction of the highway. (Document No. 202729)

ALSO SUBJECT TO oil, gas and mineral lease dated July 14, 1972, by Dale R. Nelson and Virginia P. Nelson, his wife, to Standard Oil

HENNINGSON,
STUNZ & FONDA
ATTORNEYS AT LAW
106 MAIN STREET
NYSSA, OREGON 97612
(503) 372-2288

Jan
334 2348-1-

SPLIT TREE FOR WATER RIGHT 63-20975



The above information is based on the Canyon County tax information. The splits have been done correctly using this information. No metes and bounds are needed for this claim. Split the right as shown above. I have personally worked with the clients, and the information is correctly described on the change of ownership form.

Daniel A. Nelson
Senior Agent

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: A63-20975
Date Received: 2/14/1990
Receipt No: mw 5879
Received By: SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH W. KLEIN
Address: P.O. BOX 2432
NYSSA, OR 97913
AND/OR
Name: FERN L. KLEIN
Address: NYSSA, OR 97913
2. Date of Priority: MAR 15, 1915
3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER
4. Point of Diversion:
- | | | | | | | | |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 06N | 05W | 8 | NW | SW | | | CANYON |
5. Description of diverting works:
PUMP & SPRINKLER IRRIGATION
6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|--------|------|--------|
| Purpose | From | To | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 03/15 | 11/15 | 0.120 | | |
7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 21.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

A63-20975

Page 1

Date: 02/14/90

MICROFILMED
SEP 03 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	05W	8	NW SW		IRR	6.0
Section Acres						6.0
Total Acres						6.0

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:
A63-04493 DOMESTIC WELL

14. Remarks:
THIS MAP IS ALSO USED FOR A63-04493.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Fern L. Klein Date: 2/14/90

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of Feb 19 90
John Dal Carlson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 6/2/94



DEPARTMENT OF WATER RESOURCES

UNITED STATES

DEPARTMENT OF THE INTERIOR

GEOLOGICAL SURVEY

Klein

T6N

R5W

S.8

NENWSW

A63-04493

well

A63-20915

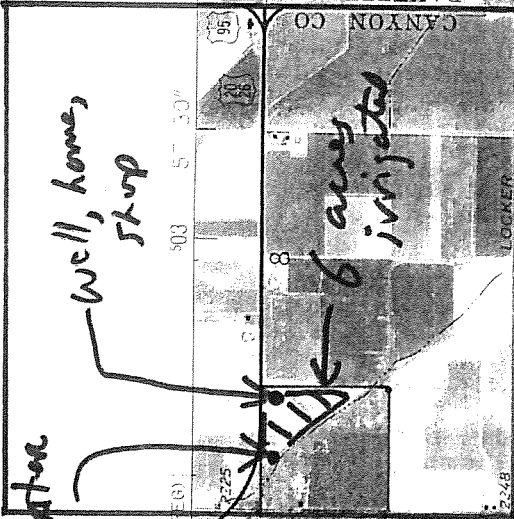
unusual stream

Wastewater pump
may be in

NW NWSW

§/or

NE NWSW (Narrow line)



12/10/2006

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

RIGHT NUMBER: 63-32362

NAME AND ADDRESS: JOSEPH SEWARD
28765 HWY 20/26
PARMA ID 83660

MARTY SEWARD
28765 HWY 20/26
PARMA ID 83660

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.070 CFS

This right when combined with all other rights shall provide no more than .03 cfs per acre.

PRIORITY DATE: 03/01/1939

POINT OF
DIVERSION: T06N R05W S8 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.070 CFS

PLACE OF USE: IRRIGATION in CANYON County

T06N R05W S08 NWSW 3.30

3.3 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 63-20975 .



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 20, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Marty Seward
Joseph Seward
28675 Hwy 20/26
Parma, ID 83660

Re: Notice of Claim To A Water Right No. 63-32362

Dear Claimants:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Thank you for your patience in this process, as we have had several ownership changes to process. If you have any further questions or concerns regarding the enclosed water rights, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Regional Office

LG: lg

Enclosures

10/20/2006

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

RIGHT NUMBER: 63-32362

NAME AND ADDRESS: JOSEPH SEWARD
28765 HWY 20/26
PARMA ID 83660

MARTY SEWARD
28765 HWY 20/26
PARMA ID 83660

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.070 CFS

This right when combined with all other rights shall provide no more than .03 cfs per acre.

PRIORITY DATE: 03/01/1939

POINT OF DIVERSION:

T06N R05W S8 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.070 CFS

PLACE OF USE:

IRRIGATION Within CANYON County

T06N R05W S08 NWSW 3.30

3.3 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

This right is a split from former right 63-20975.

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: 63-32362

KENNETH W KLEIN
PO BOX 2432
NYSSA OR 97913
Telephone Number: (208)674-2067

FERN L KLEIN
PO BOX 2432
NYSSA OR 97913
Telephone Number: (208)674-2067

★ Joseph L Seward & Martha Seward
28765 Hwy 2026
Parma, ID.
83660

Share to Dan & completed ownership
Change spx July 06 JS

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

3. Give a brief explanation as

☒ I AGREE with this proposed recommendation

DATE: Oct 18 06 SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 2735

Changed
Claim
not recd

09/15/2006

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

RIGHT NUMBER: 63-32362

NAME AND ADDRESS: KENNETH W KLEIN
PO BOX 2432
NYSSA OR 97913

FERN L KLEIN
PO BOX 2432
NYSSA OR 97913

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.070 CFS

This right when combined with all other rights shall provide no more than .03
cfs per acre.

PRIORITY DATE: 03/01/1939

POINT OF DIVERSION:

T06N R05W S8 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.070 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T06N R05W S08 NWSW 3.30

3.3 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

This right is a split from former right 63-20975 .



State of Idaho
Idaho Department of Water Resources
Western Region

T6N R5W SECTION(S) 8
WATER RIGHT(S) : 63-32362



Total Irrigated Acres = 3.3 acre(s)

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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: September 2006



MEMORANDUM

TO: ADJUDICATION FILES 63-32362

FROM: DANIEL A. NELSON

DATE: 9/15/06

SUBJECT: CLAIM REVIEW

I wrote a letter requesting evidence of priority for water right 63-20975 to the claimant on 3/2/2006 and received no response. I checked the Canyon County tax records available to our office, and found the property had been split into three parcels. I sent letters to all three of the now owners at the same time I sent the original owners letter. Two of the three owners responded, a Mr. and Ms. Seward and a Wayne Williams and the original owners letter was returned. Mr. and Ms. Seward are still using their portion of the water, but they are the only ones out of the three. Others have small enough lots that they are currently using their well water for their yards. Mr. Williams stated he has no interest in pursuing this claim, because it would be a hassle and it is more efficient and easier just to use his well. Mr. Williams sent a letter stating this in this file. No information was heard from the third party, but in talking with the other owners, I assumed he has no interest in pursuing the remainder of this right either.

Mr. Seward has filed a change of ownership for his portion of the right, so water right 63-20975 has been split into 63-32362 (Seward) and 63-32361 (remaining). I have recommended claim 63-32361 as disallowed due to no beneficial use found. Claim 63-32362 will be recommended for the Seward portion of the right.

Mr. Seward could not find any information other than the 1939 aerial photo that clearly shows irrigation was done at that time. Therefore, the priority date will be advanced to 3/1/1939. This date is the start of the irrigation season on the year of the aerial photo.

The diversion rate of 0.07 cfs came from the split of the original claim, which claimed 6 acres and 0.12 cfs. Due to the split from the larger place of use, I can't give more than the inch per acre on this claim, even though department standards allow 0.03 cfs per acre for lands under 5 acres. Mr. Seward would need to file a new right for additional water if needed. Mr. Seward claimed is acres as being totally in the NWSW, however, after creating the maps with current computer mapping, I discovered that 0.2 acre of these lands are actually in the NWSW. I recommended this claim with the 0.2 acres in the other 40-acre tract for a total of 3.3 acres. The diversion rate and acres should be more than sufficient for his current use, because since 1987, he has put a house, driveway and other outbuildings on the property. I made my recommendations based on what was being done in 1987. The source was called an unnamed stream, but it obvious from the area and characteristics of this channel that is actually and unnamed drain.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32362 V1

WATER RIGHT NUMBER: 63-32362 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH W KLEIN PO BOX 2432 NYSSA, OR 97913 (208)674-2067
Current Owner	FERN L KLEIN PO BOX 2432 NYSSA, OR 97913 (208)674-2067

Priority Date: 03/01/1939

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.070 CFS	
	<u>Total Diversion:</u>	0.070 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4SW1/4	Sec. 8,	Twp 06N,	Rge 05W, B.M.
CANYON County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	8																	3.3
																			3.3

Total Acres: 3.3

Conditions of Approval:

1. E62 This right when combined with all other rights shall provide no more than .03 cfs per acre.
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. This right is a split from former right 63-20975 .

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32362 V1

Comments:

1. dnelson 9/15/2006 Claim Review

Comment: I wrote a letter requesting evidence of priority for water right 63-20975 to the claimant on 3/2/2006 and received no response. I checked the Canyon County tax records available to our office, and found the property had been split into three parcels. I sent letters to all three of the now owners at the same time I sent the original owners letter. Two of the three owners responded, a Mr. and Ms. Seward and a Wayne Williams and the original owners letter was returned. Mr. and Ms. Seward are still using their portion of the water, but they are the only ones out of the three. Others have small enough lots that they are currently using their well water for their yards. Mr. Williams stated he has no interest in pursuing this claim, because it would be a hassle and it is more efficient and easier just to use his well. Mr. Williams sent a letter stating this in this file. No information was heard from the third party, but in talking with the other owners, I assumed he has no interest in pursuing the remainder of this right either.

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Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: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	9/15/2006 9:42:04 AM	dnelson			Active
Priority Date	9/15/2006 9:44:58 AM	dnelson			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32362 V1

POD	9/15/2006 9:45:48 AM	dnelson	Active
Source	9/15/2006 9:50:18 AM	dnelson	Active
POU	9/15/2006 9:51:32 AM	dnelson	Active
Use	9/15/2006 9:52:23 AM	dnelson	Active
Season	9/15/2006 9:53:10 AM	dnelson	Active
Quantity	9/15/2006 9:53:54 AM	dnelson	Active
Summary		09/15/2006 dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	9/15/2006 9:44:58 AM	dnelson	(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 - Irrigation is shown on 1939 aerial photo. I advanced priority date to the start of the irrigation season in 1939 or 3/1/1939.
POD	9/15/2006 9:45:34 AM	dnelson	Updated shape
POD	9/15/2006 9:45:49 AM	dnelson	(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	9/15/2006 9:50:18 AM	dnelson	(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 - Aerial photography and maps from claimant. Source changed to unnamed drain due to the location of the channel.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32362 V1

POU	9/15/2006 9:51:32 AM	dnelson	(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 - Owner supplied aerial photography and taxlot information allowing the pou to be identified.
Use	9/15/2006 9:52:24 AM	dnelson	(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 - The owner has supplied aerial photos and maps to verify that property is being irrigated.
Season	9/15/2006 9:53:11 AM	dnelson	(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	9/15/2006 9:53:55 AM	dnelson	(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? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Flow is below threshold for requiring a measurement.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32362 V1

Summary	9/15/2006 9:55:24 AM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 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?
Contacts	9/15/2006 9:42:05 AM	dnelson	(No) 1. Do you want to schedule an appointment? Comment for 1: Use is below threshold requiring a beneficial use exam.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32362

WATER RIGHT NUMBER: 63-32362

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FERN L KLEIN PO BOX 2432 NYSSA, OR 97913 (208)674-2067
Current Owner	MARTY SEWARD 28765 HWY 20/26 PARMA, ID 83660
Original Owner	KENNETH W KLEIN PO BOX 2432 NYSSA, OR 97913 (208)674-2067
Current Owner	JOSEPH SEWARD 28765 HWY 20/26 PARMA, ID 83660

Priority Date: 03/15/1915 — 3-1-1939
 Basis: Beneficial Use
 Status: Active

1939 aerial photo is
 only evidence of
 use available.

Source
 UNNAMED STREAM

Tributary
 SNAKE RIVER

Beneficial Use
 IRRIGATION

From To
 03/15 to 11/15

Diversion Rate
 0.070 CFS

Annual Volume

Total Diversion: 0.070 CFS

OK PER
 SPLIT and
 0.02 CFS/acre.

SURFACE WATER
 NO VOLUME
 REQUIRED.

Location of Point(s) of Diversion

UNNAMED STREAM
 CANYON County

NW1/4SW1/4

Sec. 8, Twp 06N, Rge 05W, B.M.

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	05W	8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	3.3
									0.2				3.3						
													3.1						

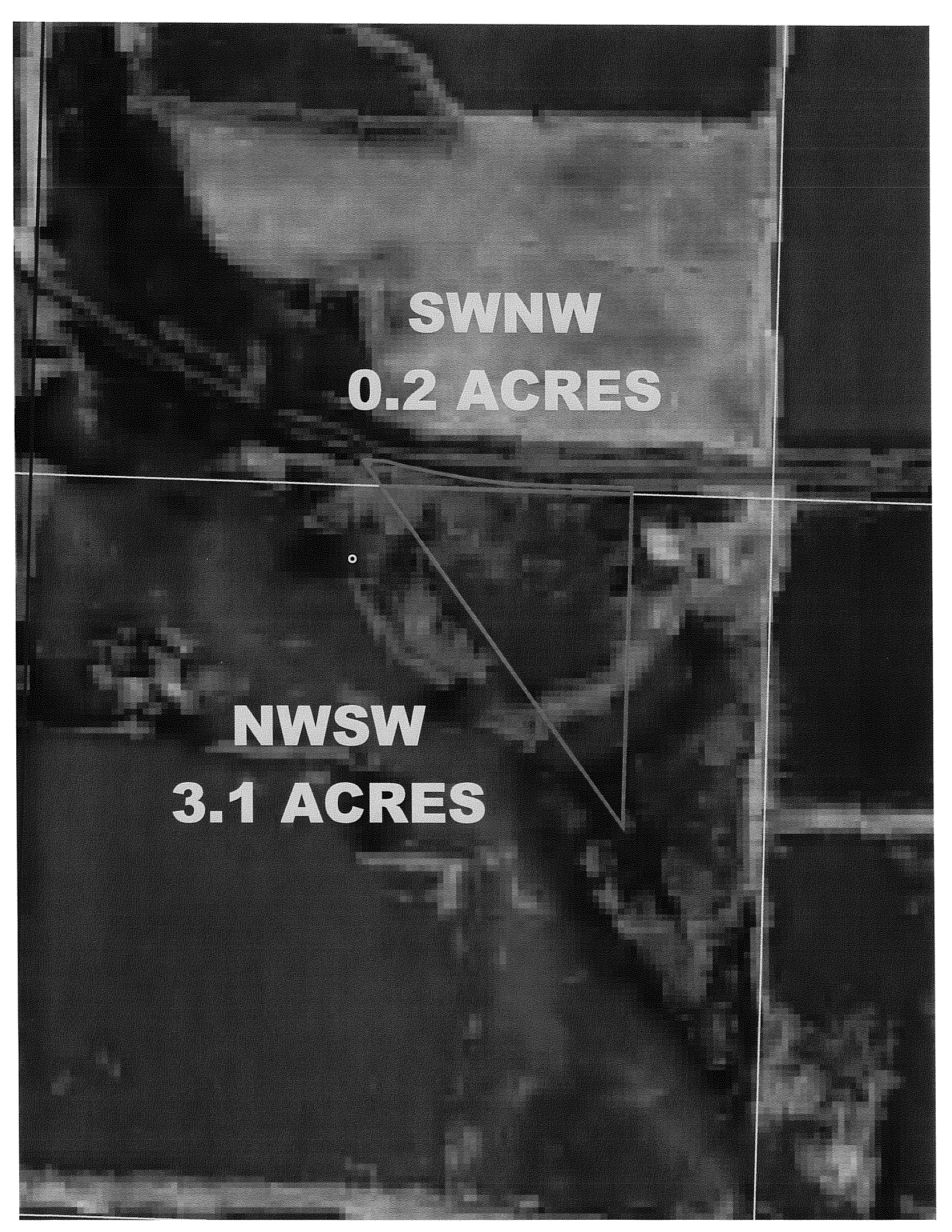
Total Acres: 3.3

3.3 ACRES
 REQUESTED BUT
 APPEARS AS THOUGH
 ONLY 3.1 AC IN THE
 NWSW 1/4 0.2 ACRES IN SWNW

Conditions of Approval:

1. This right is a split from former right 63-20975 .
2. THIS MAP IS ALSO USED FOR A63-04493.

E 60

An aerial photograph of a land parcel. A white line, likely a survey boundary, runs diagonally from the upper left towards the lower right. A small white circle is located on the left side of this line. The background is a grayscale aerial view of terrain and vegetation.

SWNW
0.2 ACRES

NWSW
3.1 ACRES

208 334 2348

Attn: Dan Nelson

Tom Joe Seward
may 15 06

RE: adjudication Claim #6320975

Dan -

Thank you for helping me thru this
process.

I have been unable to find a use
testimonial that goes beyond the 1939
aerial that we looked at, at your
office. Local people are either
disenfranchised or gone.

The "Farm Review" Paper is un-
available and the Negro Gate City
news goes into reg + mainly to the
South - So not much luck.

I could only guess that the original
owner would have tried to water the
4-5 acres on the north side -

Thanks again
Tom Joe Seward

5-10-06

Daniel A. Nelson
Sr. Water Right Agent

RECEIVED

MAY 15 2006

WATER RESOURCES
WESTERN REGION

RE: SRBA claim # A63-20975

We won't be pursuing the above
beneficial use claim of irrigation water
from an unnamed stream for our
portion of the former Kenneth Klein
property. The stream is quite a ways
away and we would have to get
permission to cross both the Seward
and Nelson property to bring the water
to our piece.

I am sending this letter per our
phone conversation.

Sincerely,

Wayne R. Ullrich
Nancy L. Ullrich
28761 Hwy 20-26
Parma ID 83660

Receipt Details for ID M005879

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/14/1990 12:08:51 PM	2/14/1990	Mobile	\$81.00	Check
Payer	KLEIN, FERN L.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
0876			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIMS**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$81.00	ADJUDICATION CLAIMS	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4493		\$25.00	Claim
63	20975		\$56.00	Claim

[Print Report](#)

This is a black and white aerial photograph showing a landscape. A dark, winding road or path runs diagonally from the upper left towards the center. To the right of this path, there are several large, irregularly shaped fields or patches of land, some appearing lighter and others darker, possibly due to different vegetation or soil types. The overall image has a grainy, historical quality.

T06N R05W S8 NWSW
1939 AERIAL PHOTO



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

April 27, 2006

JOSEPH L AND MARTHA D SEWARD
28765 HWY 20-26
PARMA ID 83660

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A63-20975

Dear Mr. and Ms. Randall:

A Mr. Kenneth W. Klein filed the above referenced Snake River Basin Adjudication (SRBA) claim on 2/14/1990. The Canyon County tax records suggest that you now may own a portion of this claim. The tax records show that Mr. Klein's property was split amongst three newer owners. If you did purchase a portion of the Klein property, and still use irrigation water from the unnamed stream, you will want to complete the enclosed Change of Ownership Form and supply the needed information requested in my 4/27/2006 letter to Mr. Klein. If you do not own or have any interest in this water right or the property associated with this water right, please contact me and let me know that you are not interested in this claim.

If I don't receive the information requested in my 4/27/2006 letter to Mr. Klein, the priority date for this water right may not be recommended, which could adversely affect your ability to irrigated from this unnamed stream under this water right.

If you have any questions or concerns please contact me at the above address.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Daniel A. Nelson'.

Daniel A. Nelson
Sr. Water Right Agent

Enclosures: Kenneth Klein Letter
Evidence of Priority Pamphlet
Notice of Claim A63-20975
2004 Aerial Photo
Change of Ownership form



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

April 27, 2006

WAYNE R WILLIAMS
NANCY L VILLI
28761 HWY 20-26
PARMA ID 83660

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A63-20975

Dear Mr. and Ms. Randall:

A Mr. Kenneth W. Klein filed the above referenced Snake River Basin Adjudication (SRBA) claim on 2/14/1990. The Canyon County tax records suggest that you now may own a portion of this claim. The tax records show that Mr. Klein's property was split amongst three newer owners. If you did purchase a portion of the Klein property, and still use irrigation water from the unnamed stream, you will want to complete the enclosed Change of Ownership Form and supply the needed information requested in my 4/27/2006 letter to Mr. Klein. If you do not own or have any interest in this water right or the property associated with this water right, please contact me and let me know that you are not interested in this claim.

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If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Enclosures: Kenneth Klein Letter
Evidence of Priority Pamphlet
Notice of Claim A63-20975
2004 Aerial Photo
Change of Ownership form



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

April 27, 2006

RANDALL H AND CLAUDIA J NELSON
28755 HWY 20-26
PARMA ID 83660

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A63-20975

Dear Mr. and Ms. Randall:

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If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Enclosures: Kenneth Klein Letter
Evidence of Priority Pamphlet
Notice of Claim A63-20975
2004 Aerial Photo
Change of Ownership form



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 27, 2006

KENNETH W KLEIN
PO BOX 2432
NYSSA OR 97913

COPY

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-20975

Dear Claimants,

In the past, you 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 only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources, since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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

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

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

Page 2
Klein

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, I will need an accurate location of the well used for irrigation under this water right. Please carefully mark on the enclosed aerial photo the exact location of the well for this right.

The required evidence supporting the priority date(s) requested and the aerial photo needs to be returned to me by May 19, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

If you have any questions or concerns, please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", with a long horizontal flourish extending to the right.

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-20975
2004 aerial photo

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20975

WATER RIGHT NUMBER: 63-20975

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH W KLEIN PO BOX 2432 NYSSA, OR 97913 (208)674-2067
Current Owner	FERN L KLEIN PO BOX 2432 NYSSA, OR 97913 (208)674-2067

Priority Date: 03/15/1915

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.120 CFS	
	<u>Total Diversion:</u>	0.120 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4SW1/4	Sec. 8, Twp 06N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION																			
Twp Rge Sec		NE		NW		SW		SE											
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals		
06N 05W 8																	6.0		6.0

Total Acres: 6

Conditions of Approval:

1. THIS MAP IS ALSO USED FOR A63-04493.

Dates and Other Information:

Claim Received Date: 2/14/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

```

+++++
+                MANUFACTURED HOUSING INQUIRY                +
+++++
+ 01 6T90757-000- -0 049-00 FIRE- FLOOD- APPR CLASS 5 REAP 97 DECL N +
+++++
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ + R39318-010- -0 SECTION 08-6N-5W SW +
+ + +
+ SPACE LOT BLOCK +
+ FLEETWOOD (27 X 60) (12 X 52)+
+ N/R NELSON, RANDALL 2/98 LH + WAFLV31A15323WC13 +
+ FLEET-98-27-T50 TITLE +
+ ++++++
+ VALUES +
+ SITE 28755 HWY 20-26 PA +
+ +
+ STATUS- COMB N TRAN Y DEL N PPD N +
+ PRIOR ACCOUNT 5T90757-000- -0 +
+ PARCEL 6T6N5W08R90757 +
+ H/O N C/B N SCH 137 +
+ 02 TRAITS INQUIRY + TOTAL 0 +
+++++

```

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101
System User- IDWRR Date 04/27/2006 Time 7:41
REAL PROPERTY INQUIRY

```

+++++
01 6R39318-000- -0 049-00 SCH137+ 12 20,200 1.00
+++++
2A 1,700 .25
WILLIAMS, WAYNE R + 32 35,600
& VILLI, NANCY L + 34 54,600
+
+
+
28761 HWY 20-26 +
PARMA ID 83660 +
+++++
08-6N-5W SW + TOTAL 112,100 1.25
TX 98261 IN NWSW ++++++
+ SURVEY 964487 INST 9811947
+ DRAIN DR VALUE APPR SAM
+ CLASS N1 REAP 99 MAN 00 UNIT 1
28761 HWY 20-26, PA + PARCEL 6R06N05W085405 H/O N C/B N
+ PRIOR ACCOUNT 5R39318-000- -0
+ 02 MH on Property YES
+ 03 Traits 04 Companion Sheet

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R39318000 0 UNIT 001 TOTAL UNITS 1

```

SITE 28761 HWY 20-26 PA SEC/TWN/RNG 08-6N-5W
ASSESSED VALUE 112,100 ACREAGE 1.25
SUB/PARK NAME YEAR/MAKE
CLASS N1 NON-REVOCABLE MOBILE HOMES ON REA SPACE LOT BLOCK
+++++
YR BUILT 2000 AIR COND CENTRAL AIR CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 1248 EXTERIOR HARDBOARD DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0

```

System User- IDWRR Date 04/27/2006 Time 7:39

REAL PROPERTY INQUIRY

```
+++++
01 6R39318-010- -0 049-00 SCH137+ 12 20,200 1.00
+++++
2A 15,400 2.43
NELSON, RANDALL H + 34 116,700
& NELSON, CLAUDIA J H/W +
+
+
+
28755 HWY 20-26 +
PARMA ID 83660 +
+++++
08-6N-5W SW + TOTAL 152,300 3.43
TX 97655 IN NWSW ++++++
+ SURVEY 964487 INST 9738096
+ DRAIN DR VALUE APPR SAM
+ CLASS N3 REAP 99 MAN 98 UNIT 1
28755 HWY 20-26, PA + PARCEL 6R06N05W085549 H/O N C/B N
+ PRIOR ACCOUNT 5R39318-010- -0
+ 02 MH on Property YES
```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R39318010 0 UNIT 001 TOTAL UNITS 1

```
SITE 28755 HWY 20-26 PA SEC/TWN/RNG 08-6N-5W
ASSESSED VALUE 152,300 ACREAGE 3.43
SUB/PARK NAME YEAR/MAKE
CLASS N3 NON-REVOCABLE MOBILE HOMES ON REA SPACE LOT BLOCK
+++++
YR BUILT 1998 AIR COND CENTRAL AIR CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 2244 EXTERIOR HARDBOARD DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 4 BSMT SQ FT SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE A2 NEIGHBORHOOD 0
GARAGE SQ FT 1008
```

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

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```
01 ACCOUNT: 6R39318-010- -0 AREA 049-00 DRAIN VALUE CLASS N3 H/O Y
SEC 08 TWN 6N RNG 5W QTR SW CITY/SUB 0 BLK LOT 5549
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
NELSON, RANDALL H BECKER, JAKE
& NELSON, CLAUDIA J H/W & BECKER, NORMA H/W
```

MAILING ADDRESS

LEGALS

28755 HWY 20-26
PARMA ID 83660

08-6N-5W SW
TX 97655 IN NWSW

SITE ADDRESS

28755 HWY 20-26 PA

COMMENTS

REMARKS

SP FROM R39318(9738096)

PRIOR ACCOUNT 5R39318010 0
PARCEL 06N05W085549 SRVY 964487
INSTR 9738096 ACRES 3.43

COMMENTS 50X50 GARAGE

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK402

```

+++++
+ MANUFACTURED HOUSING INQUIRY +
+++++
+ 01 6T91205-000- -0 049-00 FIRE- FLOOD- APPR SAM CLASS 1 REAP 00 DECL N +
+++++
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ + R39318-000- -0 SECTION 08-6N-5W SW +
+ + +
+ SPACE LOT BLOCK +
+ FLEETWOOD (26 X 48) ( X ) +
+ N/R WILLIAMS,VILLI 10/18/00 + 3173 +
+ FLEWD-00-26-R10 TITLE +
+ ++++++
+ VALUES +
+ SITE 28761 HWY 20-26 PA +
+ ++++++
+ STATUS- COMB N TRAN Y DEL N PPD N +
+ PRIOR ACCOUNT 5T91205-000- -0 +
+ PARCEL 6T6N5W08R91205 +
+ H/O N C/B N SCH 137 +
+ 02 TRAITS INQUIRY + TOTAL 0 +
+++++

```

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```

01 ACCOUNT: 6R39318-000- -0 AREA 049-00 DRAIN VALUE CLASS N1 H/O Y
SEC 08 TWN 6N RNG 5W QTR SW CITY/SUB 0 BLK LOT 5405
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
WILLIAMS, WAYNE R BECKER, JAKE
& VILLI, NANCY L & BECKER, NORMA H/W

```

MAILING ADDRESS

LEGALS

28761 HWY 20-26
PARMA ID 83660

08-6N-5W SW
TX 98261 IN NWSW

SITE ADDRESS

28761 HWY 20-26 PA

COMMENTS

REMARKS

PRIOR ACCOUNT 5R39318000 0
PARCEL 06N05W085405 SRVY 964487
INSTR 9811947 ACRES 1.25
SPLIT YR DOCUMENT WD
DATE DONE 05/07/1998 INITIALS JN

9217809, 9716468
SP 3.43AC TO R39318-010(9738096)
SP 3.36AC TO R39318-011(9811947)
DEED DOES NOT CLOSE
02 Ownership Tract Record

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

System User- IDWRR Date 04/27/2006 Time 7:42

REAL PROPERTY INQUIRY

```

+++++
+ 01 6R39318-011- -0 049-00 SCH137+ 12 20,200 1.00
+++++
+ 2A 15,100 2.36
+ SEWARD, JOSEPH L + 34 61,500
+ & SEWARD, MARTHA D H/W +
+

```

28765 HWY 20-26 +
PARMA ID 83660 +
+++++
08-6N-5W SW + TOTAL 96,800 3.36
TX 6 LS TX 6-A,97655 & LS TX 98261 ++++++
IN SW + SURVEY 964487 INST 200329809
+ DRAIN DR VALUE APPR MKB
+ CLASS N2 REAP 99 MAN 02 UNIT 1
28765 HWY 20-26, PA + PARCEL 6R06N05W085410 H/O N C/B N
+ PRIOR ACCOUNT 5R39318-011- -0
+ 02 MH on Property YES
+ 03 Traits 04 Companion Sheet

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK402
+++++
+ MANUFACTURED HOUSING INQUIRY +
+++++
+ 01 6T91693-000- -0 049-00 FIRE- FLOOD- APPR MKB CLASS 2 REAP 03 DECL N +
+++++
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ + R39318-011- -0 SECTION 08-6N-5W SW +
+ + +
+ + SPACE LOT BLOCK +
+ + GLENRIVER (28 X 57) (X) +
+ N/R BECKER, J&N 5/9/03 + GR3397XY +
+ + GLENR-89-28-R20 TITLE +
+ ++++++
+++++ VALUES +
+ SITE 28765 HWY 20-26 PA +
+++++
+ STATUS- COMB N TRAN Y DEL N PPD N +
+ PRIOR ACCOUNT 5T91693-000- -0 +
+ PARCEL 6T6N5W08R91693 +
+ H/O N C/B N SCH 137 +
+ 02 TRAITS INQUIRY + TOTAL 0 +
+++++

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R39318011 0 UNIT 001 TOTAL UNITS 1

SITE 28765 HWY 20-26 PA SEC/TWN/RNG 08-6N-5W
ASSESSED VALUE 96,800 ACREAGE 3.36
SUB/PARK NAME YEAR/MAKE
CLASS N2 NON-REVOCABLE MOBILE HOMES ON REA SPACE LOT BLOCK
+++++
YR BUILT 1989 AIR COND CENTRAL AIR CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 1559 EXTERIOR HARDBOARD DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS

OWNERSHIP C

OWNERSHIP P

SEWARD, JOSEPH L

BECKER, JAKE

& SEWARD, MARTHA D H/W

& BECKER, NORMA H/W

% SEWARD, JOSEPH L

MAILING ADDRESS

LEGALS

28765 HWY 20-26

08-6N-5W SW

PARMA ID 83660

TX 6 LS TX 6-A,97655 & LS TX 98261

IN SW

SITE ADDRESS

28765 HWY 20-26 PA

COMMENTS

REMARKS

PRIOR ACCOUNT 5R39318011 0

SP FROM R39318(9811947)

PARCEL 06NO5W085410 SRVY 964487

9217809,9716468

INSTR 200329809 ACRES 3.36

200320669

SPLIT YR 1998 DOCUMENT WD

DATE DONE 06/05/2003 INITIALS JF

02 Ownership Tract Record

THIS ACCOUNT HAS OWNERSHIP TRACK RECORD!

```

+++++
+
+ MANUFACTURED HOUSING INQUIRY +
+
+++++
+ 01 7T70453-000- -0 049-00 FIRE- FLOOD- APPR SES CLASS 5 REAP 96 DECL Y +
+
+++++
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ KLEIN FAMILY TRUST + R39318-000- -0 SECTION 08-6N-5W SW +
+ % KLEIN, FERN L - TRUSTEE + +
+ SPACE LOT BLOCK +
+ GREAT LAKES (24 X 50) ( X )+
+ 6KGCX226F3S8622 +
+ DO NOT MAIL + GREAT-71-24-D50 TITLE +
+
+++++
+ VALUES +
+ SITE 28761 HWY 20-26 PA +
+ 46 14,684 +
+ STATUS- COMB N TRAN N DEL N PPD N + 94 3,468 +
+ PRIOR ACCOUNT 6T70453-000- -0 +
+ PARCEL 7T6N5W08R70453 +
+ H/O Y C/B Y SCH 137 +
+ 02 TRAITS INQUIRY + TOTAL 18,152 +
+++++

```



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 17, 2006

Kenneth and Fern Klein
PO Box 2432
Nyssa, OR 97913

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Re: Original Notice of Claim to a Water Right No. 63-20975

Renumbered to Notice of Claim to a Water Right No. 63-32361

Dear Claimant(s):

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

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NESW	SWSW	SESW	NESW	SWSW	SESW	SESE	Total
Claim	63 138C	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8						30	35				40	40	40	40	40	40	345
Claim	63 188	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8						30	35				40	40	40	40	40	40	345
Claim	63 189	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8						30	35				40	40	40	40	40	40	345
Claim	63 190	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8						30	35				40	40	40	40	40	40	345
Claim	63 191	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8						30	35				40	40	40	40	40	40	345
Claim	63 296	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8						30	35				40	40	40	40	40	40	345
Claim	63 303A	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8						30	35				40	40	40	40	40	40	345
Rec	63 138C	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8					X	X		X	X		X	X	X	X	X	X	0
Rec	63 188	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8					X	X		X	X		X	X	X	X	X	X	0
Rec	63 189	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8					X	X		X	X		X	X	X	X	X	X	0
Rec	63 190	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8					X	X		X	X		X	X	X	X	X	X	0
Rec	63 191	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8					X	X		X	X		X	X	X	X	X	X	0
Rec	63 296	FARMERS COOPERATIVE D	BOISE RIVER	06N05W8					X	X		X	X		X	X	X	X	X	X	0
Claim	63 4852	FARMERS COOPERATIVE D	CONWAY DRAIN	06N05W8						30	35				40	40	40	40	40	40	345
Rec	63 4852	FARMERS COOPERATIVE D	CONWAY DRAIN	06N05W8					X	X		X	X		X	X	X	X	X	X	0
Rec	63 2878	BLACK CANYON IRRIGATION	ELIJAH DRAIN, WILSON DRAIN	06N05W8	X	X	X	X	X		X		X								0
Rec	63 2322	UNITED STATES OF AMERICA	ELIJAH SLOUGH, WILSON SLOUGH	06N05W8	X	X	X	X	X		X		X								0
Claim	63 8589	CHARLES E JOHNSON,	GROUND WATER	06N05W8													36	34	40	35	145
Right	63 11290	APPLE VALLEY STG LIMITED	GROUND WATER	06N05W8									X								0
Right	63 21175	H JUDY TRUPP, CLYDE R TR	GROUND WATER	06N05W8									X								0
Right	63 21175	H JUDY TRUPP, CLYDE R TR	GROUND WATER	06N05W8									X								0
Right	63 26460	CHARLES E JOHNSON,	GROUND WATER	06N05W8													X				0
Right	63 28913	DELORES A SHODEEN,	GROUND WATER	06N05W8				X													0
Right	63 4493	FERN L KLEIN, KENNETH W	GROUND WATER	06N05W8									X								0

