

12/10/2006

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

RIGHT NUMBER: 63-31116
NAME AND ADDRESS: GUY WERNER
3873 SW 4TH
NEW PLYMOUTH ID 83655

JEANETTE WERNER
3873 SW 4TH
NEW PLYMOUTH ID 83655

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 0.120 CFS
18.00 AFY

PRIORITY DATE: 03/17/1982

POINT OF
DIVERSION: T05N R03W S28 SWSW Within CANYON County

Right 63-31115 is also diverted through the point of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.120 CFS 18.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CANYON County

T05N R03W S28 SWSW 4.00

4 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-9887.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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

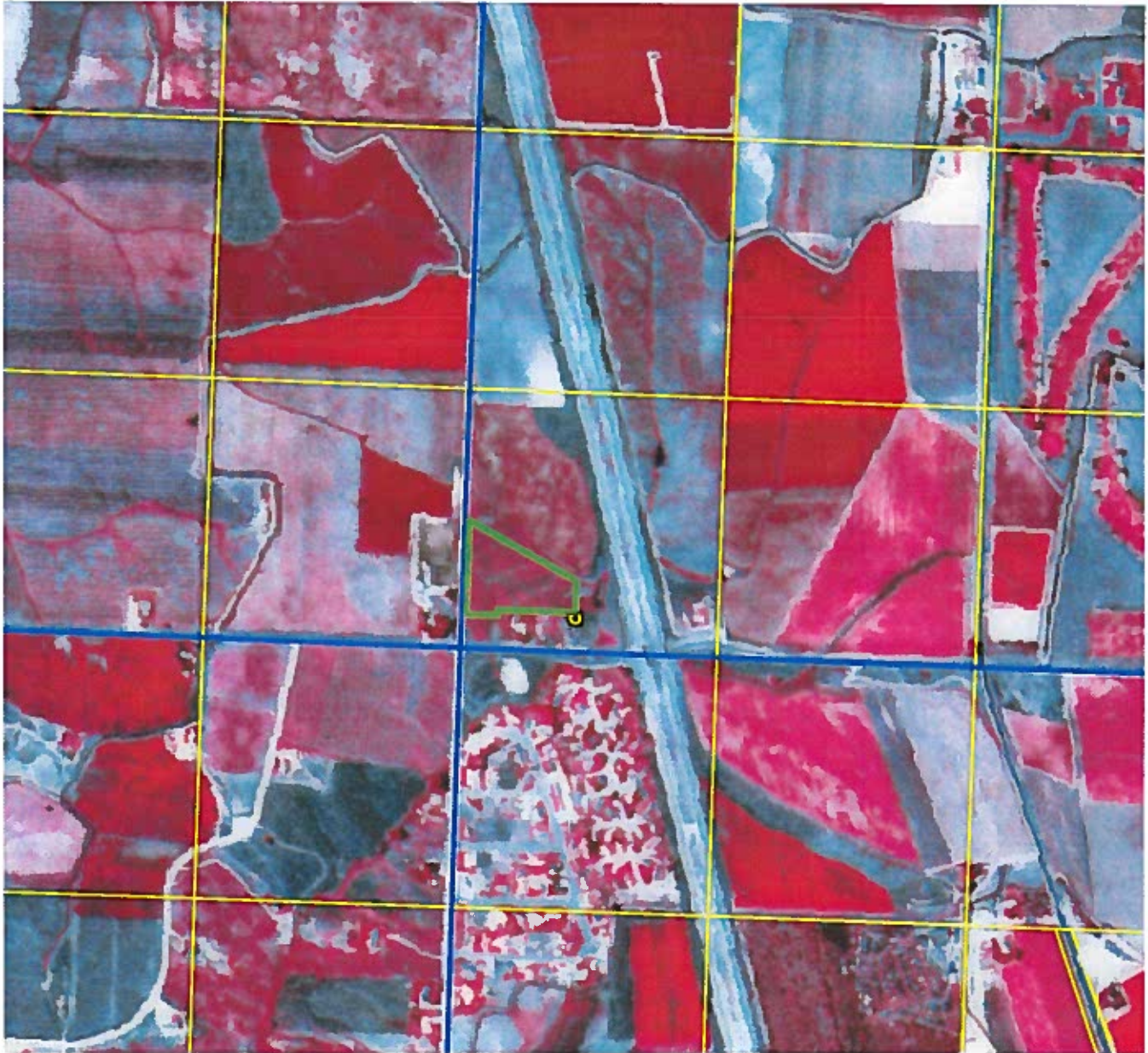
This right is subject to regulation by the watermaster of Water District 63.



Idaho Department of Water Resources

63-31116

05N 03W Section 28



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated
Acres: 4

9009080 Feet




IDWR
Prepared by: Lori Graves
Date: 07-11-06
1986-87 Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31116 V1

WATER RIGHT NUMBER: 63-31116 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C H WERNER RT 9 BOX 301 CALDWELL, ID 83605
Original Owner	RUTH WERNER RT 9 BOX 301 CALDWELL, ID 83605
Original Owner	SAMA DELIA ROBINSON 15956 PURPLE SAGE RD CALDWELL, ID 83605 (208)459-7085
Current Owner	GUY WERNER 3873 SW 4TH NEW PLYMOUTH, ID 83655 (208)278-3042
Current Owner	JEANETTE WERNER 3873 SW 4TH NEW PLYMOUTH, ID 83655 (208)278-3042

Priority Date: 03/17/1982

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE 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	0.120 CFS	18.00 AF
	<u>Total Diversion:</u>	0.120 CFS	18.00 AF

Location of Point(s) of Diversion

WASTE WATER	SW1/4SW1/4	Sec. 28, Twp 05N, Rge 03W, 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
05N	03W	28											4.0						4.0

Total Acres: 4

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31116 V1

1. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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. P21 This right is a split from former right 63-9887.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
5. X36 Right 63-31116 is also diverted through the point of diversion described above.
6. W14 Use of this right is combined with water from Black Canyon Irrigation District.
7. B09 This right is subject to regulation by the watermaster of Water District 63.

Remarks:Comments:

1. Igraves 7/11/2006 P/U

Comment: All original five licensed acres appear appurtenant to claimants property, however, the licensing exam was conducted in 1982 and the claim was filed in 1990, which indicated a shift in irrigation and resulted in a water right split.

2. Igraves 7/11/2006 Parcel No.

Comment: Irrigation is within Parcel No. R38056010B0.

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: OR

Water District Number: 63

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:Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31116

WATER RIGHT NUMBER: 63-31116

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C H WERNER RT 9 BOX 301 CALDWELL, ID 83605
Original Owner	RUTH WERNER RT 9 BOX 301 CALDWELL, ID 83605
Original Owner	SAMA DELIA ROBINSON 15956 PURPLE SAGE RD CALDWELL, ID 83605 (208)459-7085
Current Owner	GUY WERNER 3873 SW 4TH NEW PLYMOUTH, ID 83655 (208)278-3042
Current Owner	JEANETTE WERNER 3873 SW 4TH NEW PLYMOUTH, ID 83655 (208)278-3042

Priority Date: 03/17/1982

Basis: License

Status: Active

Source

WASTE WATER

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To
03/15 to 11/15Diversion Rate

0.120 CFS

Annual Volume

18.00 AF

Total Diversion:

0.120 CFS

18.00 AF

Location of Point(s) of Diversion

WASTE WATER

SW1/4SW1/4

Sec. 28, Twp 05N, Rge 03W, 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
05N 03W 28												4.0					4.0

Total Acres: 4

Conditions of Approval:

- This claim is the result of a change in ownership for a portion of A63-09887. DB 10/18/2000.

Dates and Other Information:

Claim Received Date: 2/6/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

Water District Number: 63

Mitigation Plan: False

Combined Use Limits:

add x36 shared P/D
w14 BCID
expl B09 w/m control
539 3/1-11/15
071-401116 123-9887 C05 P/m change - see

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9887 Priority March 17, 1982 Amount 0.15 cfs

THIS IS TO CERTIFY, that C. H. &/or Ruth Werner
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-9887 issued pursuant to Application for Permit dated March 17, 1982,
and has submitted proof to the Department of Water Resources on July 16, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.19 cfs of water from waste water,
tributary to Boise River and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.15</u> cfs and	<u>22.5</u> acre feet
	from <u> </u> to <u> </u>	at <u> </u> cfs and	
	from <u> </u> to <u> </u>	at <u> </u> cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.15 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
22.5 acre feet per year, said waters to be diverted within the SW1SW1 Section 28,
Twp 5N, Rge 3W in the County of Ganyon

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	3W	28								5					5

Total number of acres irrigated 5

MICROFILMED

MICRO

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Use of water under this license is subject to control by the watermaster of State Water District No. 63, Boise River.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 19TH day of AUGUST, 19 85.

Norman C Young
Director

✓

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated 5

c. Describe any other water rights used for the same purposes as described above. _____

Black Canyon Irrigation District

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

[illegible]

MICROFILM SET

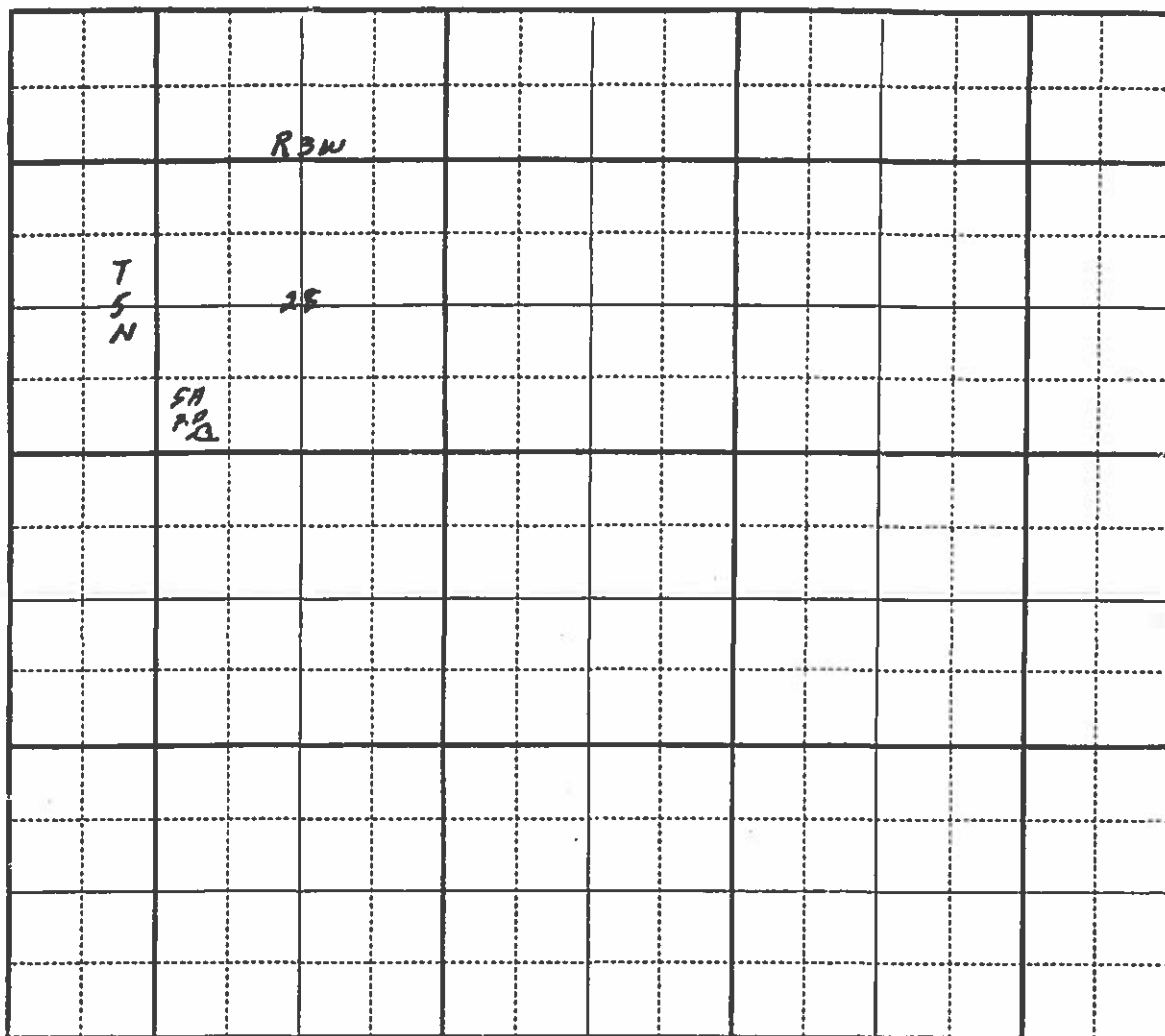
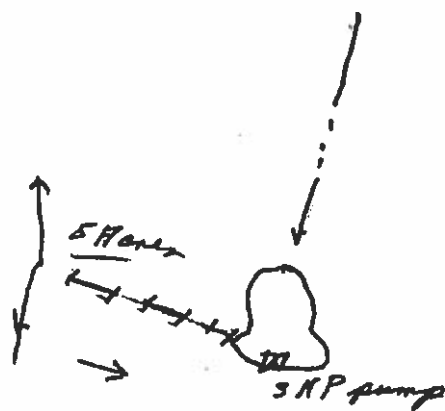


Diagram of System



DATE OF EXAM 7/7/82

ACREAGE
Found 5 ✓
Recommended 5

Irrigation Requirement 4.5 ✓ Ac Ft/Ac

USE
Irrigation Q = 0.15 c.f.s. V = 22.5 ✓ AF/Ann. from 3/15 ✓ to 11/15 ✓ ^{245 days}
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____ Sub _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 18 0.19 cfs Method of measurement Home Power

Total Q recommended .15 Meter No. _____ Type _____ Condition _____

Total V recommended 22.5

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

$3 \text{ HP} \times 8.8 \times 20 = 2112 \checkmark$ ^{Serial #} $3 \text{ HP} = 56 \text{ F 201162 centrifugal}$
 $20 \times 0.43 \text{ F 40 } (93.02) = 113.02 \text{ F 21}$ $= 18255 \checkmark$
 $= 0.18255 \times 0.19 \text{ cfs}$
 $V = 4.5 \text{ AFA } 1.5 = 22.5 \text{ AFA } \checkmark$
 $V = 0.15 \times 1.4835 \times 245 = 72.9 \text{ AFA}$

SYSTEM DESCRIPTION:

3 HP motor + pump in holding pond in unimproved stream. Pump discharges into head ditch for gravity irrigation.

REMARKS:

Supplemental to Black Canyon for District
No overlap review done due to size of system.

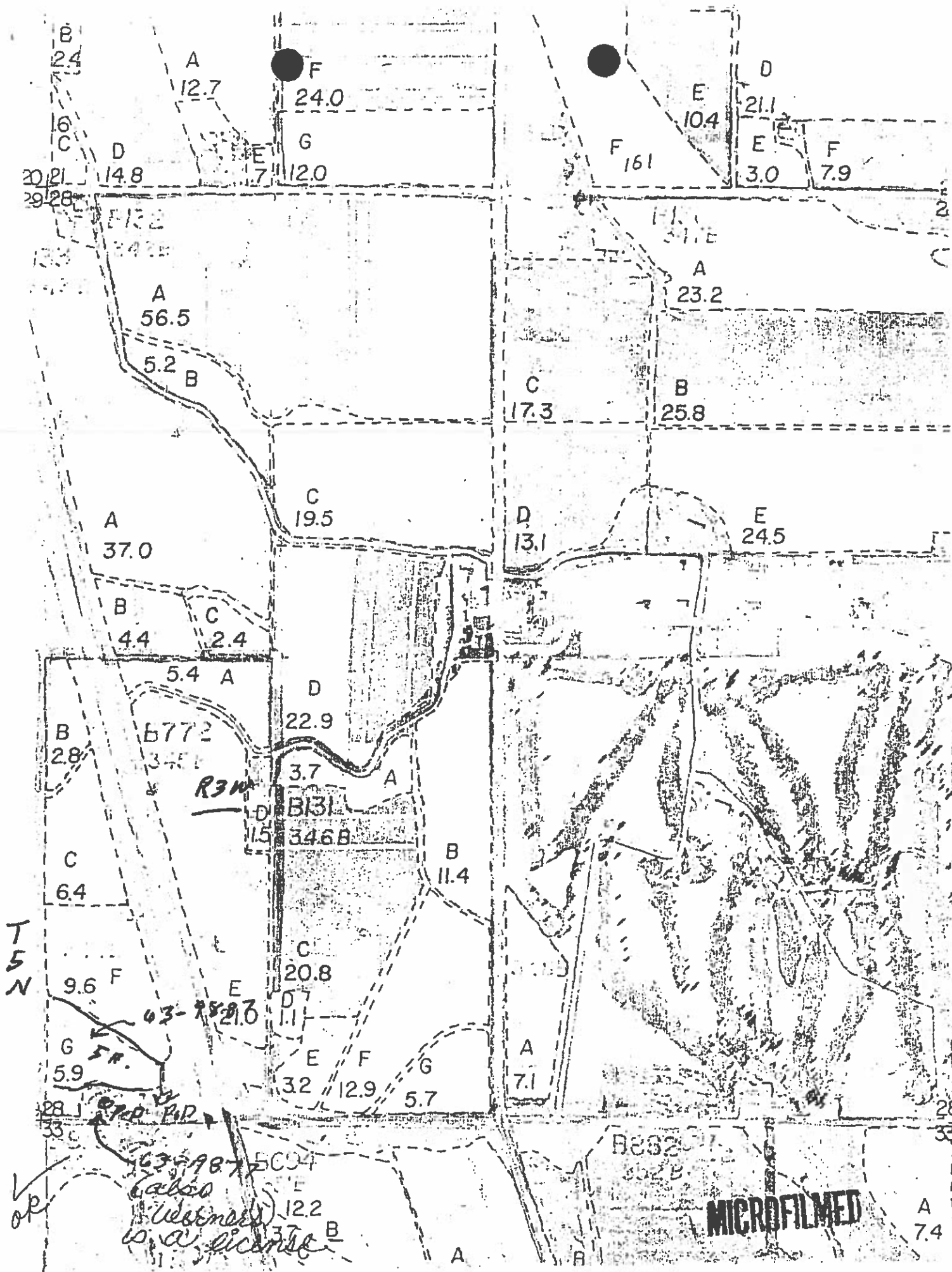
Examiner's Signature John K. Meyer Date 7/7/82

Checked by APS Date 12/3/82

Approved by Kay Wheeler Jr. Date 8/7/85

8-8-85

MICROFILMED



MICROFILMED

A
7.4

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 63-31116
Date Received: 2/6/90
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): GUY D WERNER Phone: (208) 278-3042
3873 SW 4TH
NEW PLYMOUTH ID USA 83655

JEANETTE WERNER Phone: (208) 278-3042
3873 SW 4TH
NEW PLYMOUTH ID USA 83655

2. Date of Priority: 03/17/1982

3. Source: WASTEWATER Trib. to: Boise River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
05N	03W	28	SW SW	CANYON

5. Description of diverting works:

PUMPING PLANT & SURFACE IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.12	18

7. Total Quantity Appropriated is:
0.12 C.F.S. and/or 18 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	03W	28	SW SW		IRRIGATION	4
Section Acres						4
Total Acres						4

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 claim is the result of a change in ownership for a portion of A63-09887. DB 10/18/2000.

15. Basis of Claim: License

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

RECEIVED
 SEP 18 2000
 WATER RESOURCES
 WESTERN REGION

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

1. Water Right No(s): A63-09887
 Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim 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 C. H. & RUTH WERNER

4. New Owner/Claimant(s) GUY DARRELL WERNER & /or JEANNETTE WERNER
 New Mailing Address 3873 SW 4TH
 City, State and ZIP Code NEW PLYMOUTH, ID 83655
 New Telephone Number 628 278-3042

5. Date you acquired the property 4-18-95

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right <u>4</u>	Number and type of stock _____
Diversion rate in CFS <u>.12</u>	Number of homes you acquired _____ Other uses _____

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

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

A63-09887

5 acres
22.5 afa
.15 cfs

Robinson

63-31115

1 acre
.03 cfs
4.5 afa

Werner

63-31116

4 acres
.12 cfs
18 afa

(POU)

SWSW S-28
SN 3W

(POU)

SWSW S-28
SN 3W

MON, JUL 27, 1998, 10:02 AM

MODE:F ACTION:L PRESS (01 RETURN) TO VIEW ANOTHER ACCOUNT TRQK10

REAL PROPERTY INQUIRY

01 8R38056-010-B-0 032-00 SCH134	01	3,300	4.99
WERNER, GUY DARRELL	02	600	1.95
	10	17,000	1.00
	19		.23
	32	6,900	
3873 SW 4TH ST NEW PLYMOUTH ID 83655			
28-5N-3W SW TX 95285 IN SWSW	TOTAL	27,800	8.17
PURPLE SAGE RD, CA	SURVEY	INST 9517525	
SEE R38056-010	DRAIN OR VALUE	APPR MKD	
	CLASS BT REAP 98 MAN 97 UNIT 0		
	PARCEL 8R05N03W286405 H/O N C/B N		
	PRIOR ACCOUNT 7R38056-010-B-0		
	02 MH on Property YES		
	03 Traits Inquiry		

LOGON ID: COUNTRY TAX

PORT ID: 121

GROUP: USERA

QUICK709E 04 TRQK101(98/01/00) QDESIGN709E HP2392 (C) COGNOS INCORPORATED.

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: A63-09887
Date Received: 2/ 6/1990
Receipt No: W008497
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SAMA DELIA ROBINSON
Address: 15956 PURPLE SAGE RD
CALDWELL ID

208-459-7085

83605

2. Date of Priority: MAR 17, 1982

3. Source: WASTE WATER

Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03W	28	SW	SW	SW		CANYON

5. Description of diverting works:
PUMPING PLANT & SURFACE IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		22.50

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

22.50 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03W	28	SW	SW		IRR	5.0
Section Acres							5.0

10. Place of Use: Continued

Total Acres 5.0

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:
 BLACK CANYON IRR. DIST.

14. Remarks:
 OWNERSHIP CHANGED BY DB 12/28/99

15. Basis of Claim: LICENSE



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

October 18, 2000

GUY D WERNER
JEANETTE WERNER
3873 SW 4TH
NEW PLYMOUTH ID 83655

Re: Original Notice of Claim to a Water Right No. A63-09887

Renumbered Notice of Claim to a Water Right No. 63-31116

Dear Claimants:

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 by adding alpha suffixes 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. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosure

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-09887

SUBJECT: ownership / split

EMPLOYEE: DS

DATE: 10-18-2000

Per review, this claim should have been split in 1999 when Robinson purchased from Werner. Robinson only bought 1 of 5 acres.

So- the split was conducted / completed on 10-18-00. Ownership changed also at same time to show Guy Werner bought 4 acres from CH Werner.

Guy + Jeanette Werner⁶³⁻³¹¹¹⁵ = 4 ac @ .12 cfs + 12 AFA

Sara Delia Robinson⁶³⁻³¹¹¹⁶ = 1 ac @ .03 cfs + 4.5 AFA



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

December 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SAMA DELIA ROBINSON
15956 PURPLE SAGE RD
CALDWELL ID 83605

RE: Water Right No. 63-04865 & 63-09877

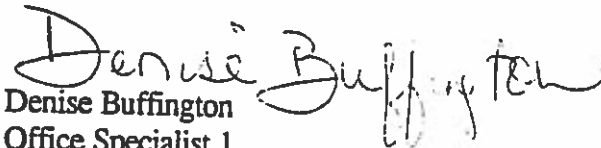
Dear Property Owner:

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

Please note, the ownership has also been changed on water right number A63-09887 and a copy is enclosed.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,



Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: C H and Ruth Werner

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 63-9887
Date Received: 2/6/90
Receipt No: W008497
Received By:

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

1. Name of Claimant(s): SPLIT CLAIM

2. Date of Priority: 03/17/1982

3. Source: WASTEWATER Trib. to: Boise River
SPLIT CLAIM SEE REMARKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
05N	03W	28	SW SW	CANYON

5. Description of diverting works:

PUMPING PLANT & SURFACE IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.15	22.5

7. Total Quantity Appropriated is:
0.15 C.F.S. and/or 22.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	03W	28	SW SW		IRRIGATION	5
Section Acres						5
Total Acres						5

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:

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT. This claim has been split. See nos. 63-31115 for Robinson AND 63-31116 for Werner. DB 10/18/2000.

15. Basis of Claim: License

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: A63-09887
Date Received: 2/ 6/1990
Receipt No: W008497
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SAMA DELIA ROBINSON
Address: 15956 PURPLE SAGE RD
CALDWELL ID

208-459-7085

83605

2. Date of Priority: MAR 17, 1982

3. Source: WASTE WATER

Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03W	28	SW	SW			CANYON

5. Description of diverting works:
PUMPING PLANT & SURFACE IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		22.50

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 22.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03W	28	SW	SW		IRR	5.0
Section Acres							5.0

10. Place of Use: Continued

Total Acres 5.0

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:
 BLACK CANYON IRR. DIST.

14. Remarks:
 OWNERSHIP CHANGED BY DB 12/28/99

15. Basis of Claim: LICENSE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 06 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): A63-09887 63-04265 63-09877
 Adjudication Claim No(s): A63-04865 A63-09877

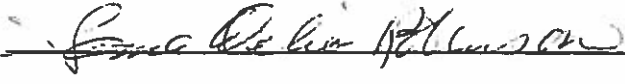
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY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

3. Name and Address of Former Owner/Claimant CH WERNER, RUTH WERNER
Rt 9 Box 301 CALDWELL ID 83605

4. New Owner/Claimant(s) SAMA DELIA ROBINSON
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 15956 PURPLE SAGE RD
 City, State and ZIP Code CALDWELL ID 83605
 New Telephone Number (208) 459-7085

5. Date you acquired the property 7/11/1998

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

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

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

951108

QUITCLAIM DEED

FOR VALUE RECEIVED

C. H. WERNER and RUTH R. WERNER, husband and wife,
do hereby convey, release, remise and forever quit claim
unto SAMA DELIA ROBINSON, a single woman
whose address is 15956 Purple Sage Rd, Caldwell, Id. 83605
the following described premises, to-wit:

See attached Exhibit "A"

* Subject to a Life Estate being reserved by Grantors in said property.

together with their appurtenance.

Dated: April 20, 1995


C. H. WERNER


RUTH R. WERNER

STATE OF IDAHO, COUNTY OF Canyon

On this 20th day of April, 1995
before me, a Notary Public in and for said State, personally
appeared C. H. Werner and Ruth R. Werner
known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.


Notary Public
Residing at Caldwell, Idaho
Comm. Expires 7/19/98

PIONEER TITLE COMPANY

423 So. Kimball
Caldwell, Idaho 83605

OF CANYON COUNTY

100 - 10th Ave. South
Nampa, Idaho 83651

Exhibit "A"

A portion of the Southwest Quarter of the Southwest Quarter in Section 28, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

BEGINNING at the Southwest corner of said Southwest Quarter of the Southwest Quarter; thence

East along the South boundary of said Southwest Quarter of the Southwest Quarter a distance of 185 feet to the TRUE POINT OF BEGINNING; thence

North along a line parallel to the West boundary of said Southwest Quarter of the Southwest Quarter a distance of 200 feet to a point; thence

East along a line parallel to the South boundary of said Southwest Quarter of the Southwest Quarter a distance of 205 feet to a point; thence

South along a line parallel to the West boundary of said Southwest Quarter of the Southwest Quarter a distance of 200 feet to a point in the South boundary of said Southwest Quarter of the Southwest Quarter; thence

West along the South boundary of said Southwest Quarter of the Southwest Quarter a distance of 205 feet to the TRUE POINT OF BEGINNING.

9511008

RECORDED

'95 MAY 1 PM 3 43

HEB. J. ELKR

CANYON COUNTY RECORDER

By *John D. Brown* As

REQUESTER: MONEER - CALDWELL

TYPE *Book* FEE *6.00*

MON, JUL 27, 1998, 10:03 AM

MODE: F ACTION: L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK10

REAL PROPERTY INQUIRY

01 8R38056-010- -0 032-00	SCH134	10	16,000	.94
		31	42,500	
ROBINSON, SAMA DELIA				
P O BOX 112				
FRUITLAND ID 83619				
28-5N 3W 3W		TOTAL	58,500	.94
TX 95284 IN SWCW				
15956 PURPLE SAGE RD, CA		SURVEY	INST 9511008	
R38056-010-A, R38056-010-B		DRAIN	DR VALUE	APPR MKB
		CLASS 2	REAP 98	MAN 97 UNIT 1
		PARCEL	8R05N00W286301	H/O Y C/B P
		PRIOR ACCOUNT	7R38056-010- -0	
			02 MH on Property NO	
			03 Traits Inquiry	

LOGON TO: COUNTERA.TAX

PORT ID: 221

GROUP: USERA

QUICK709E L4 TRQK101(98/01/00) QDESIGN709E HP2392 (1) COGNOS INCORPORATED.

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

DATE FILED: JULY 15, 1998

STATE FILE NUMBER: 98-04553

DECEDENT: CHARLES HIRAM WERNER

DATE OF DEATH: JULY 11, 1998 PLACE OF DEATH: CALDWELL, IDAHO
TIME OF DEATH: 8:05 P.M.

DATE OF BIRTH: APR. 21, 1903 PLACE OF BIRTH: MISSOURI

AGE: 95 YEARS SEX: MALE VETERAN? YES

MARITAL STATUS: WIDOWED

SOCIAL SECURITY NUMBER: 544-03-7251 RESIDENCE: CALDWELL, IDAHO

FATHER: CHARLES A. WERNER
FATHERS BIRTHPLACE: MICHIGAN
MOTHER (MAIDEN): ADELIA SAMANTHA PYATT
MOTHERS BIRTHPLACE: IOWA

MORTUARY: FLAHIFF FUNERAL CHAPEL
MORTICIAN: RICHARD G. WHITTED

CALDWELL, IDAHO
DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: CHARLES E. REED, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

CONGESTIVE FAILURE
ARTERIOSCLEROSIS

2 YEARS
YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

DEGENERATIVE ARTHRITIS

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of the document officially registered and placed
on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY

DATE ISSUED: JULY 16, 1998

This copy is not valid unless prepared on engraved border
displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

DATE FILED: AUGUST 11, 1995 STATE FILE NUMBER: 95-04744

DECEDENT: RUTH RUBY WERNER

DATE OF DEATH: AUG. 04, 1995 PLACE OF DEATH: CALDWELL, IDAHO

DATE OF BIRTH: FEB. 20, 1903 PLACE OF BIRTH: KANSAS

AGE: 92 YEARS SEX: FEMALE VETERAN: NO

MARITAL STATUS: MARRIED SURVIVING SPOUSE: CHARLES H. WERNER

SOCIAL SECURITY NUMBER: 543-12-7234 RESIDENCE: CALDWELL, IDAHO

FATHER: DAVID ELMER RIGGINS
FATHERS BIRTHPLACE: MISSOURI
MOTHER (MAIDEN): JENNIE BATSY HAMILTON
MOTHERS BIRTHPLACE: COLORADO

MORTUARY: FLAHIFF FUNERAL CHAPEL
MORTICIAN: KENNETH E. GORDY

CALDWELL, IDAHO
DISPOSITION: BURIAL

AUTOPSY: NO

CERTIFYING PHYSICIAN: DALE HOEKEMA, MD

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

CONGESTIVE HEART FAILURE
MYOCARDIAL INFARCTION

INTERVAL

YEARS
YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

ABD. AORTIC ANEURYSM ATRIAL FIBRILLATION

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of this document officially recorded and filed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY

DECEMBER 11, 1995

DATE ISSUED:

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

INSTRUMENT NO. 9827730

103 - DECLARATION OF HOMESTEAD

Printed and for sale by Capitol Lithograph, Boise, Idaho
(208) 344-3507

KNOW ALL MEN BY THESE PRESENTS, That I, Sama D. Robinson
of Canyon, County of Idaho, State of Idaho, do
hereby certify and declare that I am now married and am now the head of a family, and that I do now, at the
time of making this declaration, actually reside with my family on the land and premises hereinafter described
and claimed as a Homestead. That my family consists of

That the land and premises on which I reside and so claim as a homestead are bounded and described as
follows:

Sec 28 5N, 3W,
SW,

That it is my intention to use and claim the said premises above described, together with the dwelling house
thereon and its appurtenances, as a Homestead, and I do hereby select and claim the same as a Homestead.

That the actual cash value of the said premises I estimate to be

\$16,000 : 98

DOLLARS.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this

day of 7/27, 1998

Sama D. Robinson

Signed, sealed and delivered in the presence of:

STATE OF IDAHO,

SS.

County of Canyon

On this 7-27

day of

July

in the year 1998

before me Vicki A. Drum

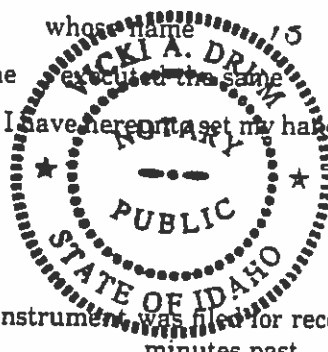
, a Notary Public

in and for said State, personally appeared Sama Robinson

known to me to be the person whose name

acknowledged to me that she 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.



Vicki A. Drum
Notary Public for the State of Idaho,
Residing at Homestead, Idaho.
Comm exp. 12-20-02

I hereby certify that this instrument was filed for record at request of

at

minutes past

day of

o'clock

M., this

, A.D. 19

in my office, and duly recorded in Book

of

at page

Ex-Officio Recorder.

By

Deputy.

9827730

RECORDED

'98 JUL 27 AM 10 38

NED J KERR

CANYON CNTY RECORDER

BY JManner

UESI Sama D. Robinson

Homestead Fee 3.00

Fees, \$

Mail to

5550

1325.94

730.55

325.11

210.45

210.0

90.65

A.1.5
#PC12657

205'

205'

205'

205'

29 28

32 33

185' 2

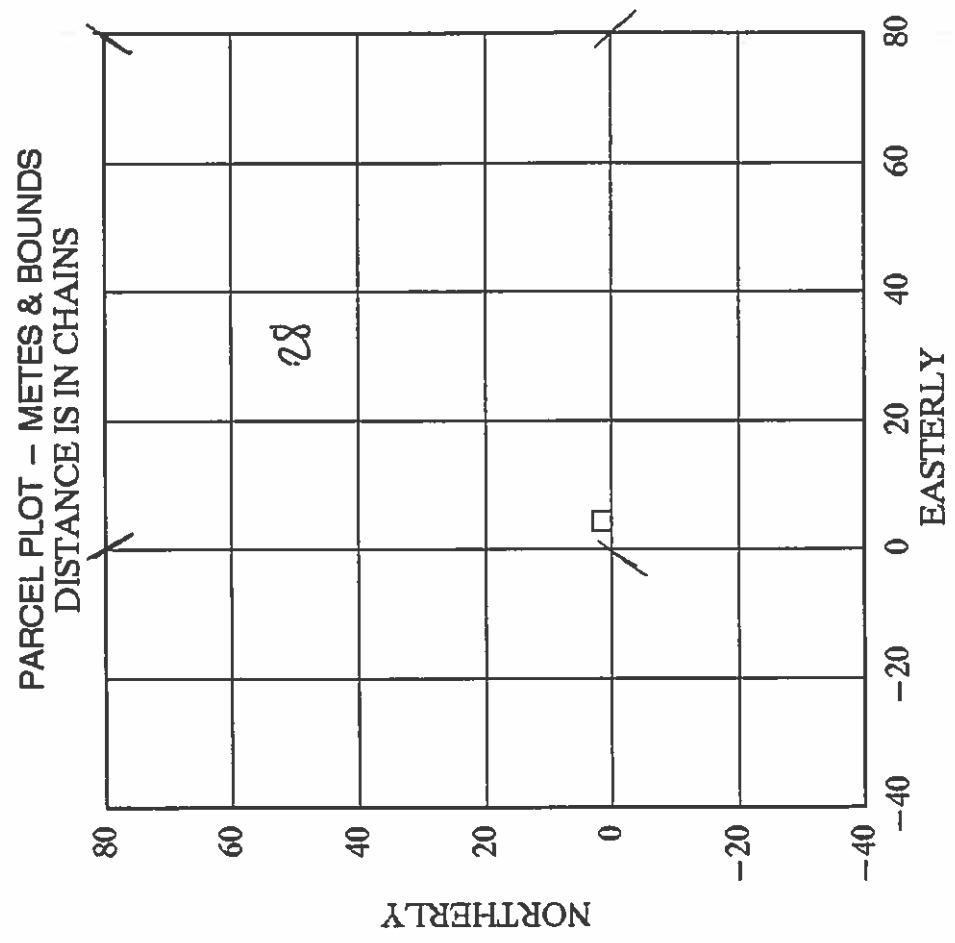
2

2

1321.32'

63-04865
63-09877
A 63-09887

5N 3W



METES AND BOUNDS TABLE

PRESS ALT P TO PRINT GRAPH

	X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	0.00	0.00					
(SEE SHEET)	2.80	0.00	90.00	0.00	0.00	SE	185.00
	2.80	3.03	0.00	0.00	0.00	NW	200.00
	5.91	3.03	90.00	0.00	0.00	NE	205.00
	5.91	0.00	0.00	0.00	0.00	SW	200.00
-QUAD COEF-	2.80	0.00	90.00	0.00	0.00	SW	205.00
IF NE. X=1,Y=1	2.80	0.00					

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: A63-09887-2-6-9
Date Received: ~~1/30/1990~~
Receipt No: W 8497
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. H. WERNER
Address: RT. 9 BOX 301
CALDWELL, ID

83605

Name: RUTH WERNER
Address: RT. 9 BOX 301
CALDWELL, ID

83605

2. Date of Priority: MAR 17, 1982

3. Source: WASTE WATER

Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	03W	28	SW	SW			CANYON

5. Description of diverting works:
PUMPING PLANT & SURFACE IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		22.50

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 22.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A63-09887

Page 1

Date: 01/30/90

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	03W	28	SW SW		IRR	5.0
Section Acres						5.0
Total Acres						5.0

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:
BLACK CANYON IRR. DIST.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 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): C H Werner Date: 2-6-90
Ruth P Werner Date: 2-6-90

State of Idaho)
County of Idaho) ss.

Subscribed and sworn (or affirmed) before me this 6 day
of Feb 19 90 Linda Werner
Notary Public

Seal

Residing at _____
LINDA WERNER
My Commission Expires RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES DEC. 8, 1994

CP&F Inst. No.

