

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 63-8551A
Date Received: 8/23/1989
Receipt No: C010168
Received By:

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

1. Name of Claimant(s)

CHARLES E. ANTHONY Phone: (208)888-6341
5563 W COLUMBIA RD
NAMPA ID USA 83687

TRUDY A ANTHONY Phone: (208)888-6341
5563 W COLUMBIA RD
NAMPA ID USA 83687

2. Date of Priority: 03/07/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	01W	9	NE NE	ADA	

5. Description of diverting works:

WELL, PUMP, DITCH & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.77	

7. Total Quantity Appropriated is:
0.77 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
02N	01W	9	NE	NE		IRRIGATION	14.5
			NW	NE		IRRIGATION	16
			SW	NE		IRRIGATION	1
			SE	NE		IRRIGATION	7
						Section Acres	38.5
						Total Acres	38.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WAS A PORTION OF WATER RIGHT A63-08551

CHANGE OF OWNERSHIP LG 12/1/05

15. Basis of Claim: License

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

RECEIVED
NOV 29 2005
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
~~63-8551A~~					
<u>63-8551A</u>					
<u>63-8551B</u>					
<u>63-8630</u>					

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)

Orville Otten

4. New Owner/Claimant(s)

5101 W. Columbia, Nampa, ID 83687
Charles E. or Trudy A. Anthony

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

New Mailing Address

5563 W. Columbia Rd.

City, State and ZIP Code

Nampa ID 83687

New Telephone Number

208 888-6341

5. Date you acquired the property

June, 1990

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

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

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

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

Charles E. Anthony 11-25-05
Tracy A. Anthony 11-25-05

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

11/02/2005

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

RIGHT NUMBER: 63-8630

NAME AND ADDRESS: ORVILLE OTTEN
5101 W COLUMBIA RD
NAMPFA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.750 CFS
333.00 AFY

The rights listed below are limited to a total combined diversion rate of 1.28 cfs and to a total combined annual diversion volume of 513 AF. Combined Right Nos.: 63-8551A, 63-8551B and 63-8630.

PRIORITY DATE: 03/29/1977

POINT OF DIVERSION:

T02N R01W S9 SWNE Within ADA County

Right No. 63-8551 A is also diverted through 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	0.750 CFS 333.00 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S09	NENE	1.0	T02N R01W S09	NWNE	19.0
T02N R01W S09	SWNE	38.0	T02N R01W S09	SENE	8.0
T02N R01W S09	NWSE	8.0			

74 ACRES TOTAL

106

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 63-8551A, 63-8551B and 63-8630.

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 - License

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

11/02/2005

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

RIGHT NUMBER: 63-8551A

NAME AND ADDRESS: ORVILLE OTTEN
5101 W COLUMBIA RD
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.770 CFS
134.70 AFY

The rights listed below are limited to a total combined diversion rate of 1.28cfs and to a total combined annual diversion volume of 513 AF.
Combined Right Nos.: 63-8551A, 63-8551B and 63-8930

8630

PRIORITY DATE: 03/07/1977

POINT OF DIVERSION:

T02N R01W S9 NENE Within ADA County
T02N R01W S9 SWNE Within ADA County

in the Right No. 63-8930 is also diverted through point of diversion described above
8630
SWNE S9, T2N R1W and Right No. 63-8551B is also diverted through the point of diversion described above in the NENE S9 T2NR1W.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.770 CFS 134.70 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S09	NENE	14.5	T02N R01W S09	NWNE	16.0
T02N R01W S09	SWNE	1.0	T02N R01W S09	SENE	7.0

38.5 ACRES TOTAL

106

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 63-8551A, 63-8551B and 63-8930.

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 - License

Use of this right is combined with water from Nampa Meridian Irrigation

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence of

Margaret Rose Johnson } Orville Otten (Seal)
Trustee, Trust B of the testamentary }
trust established by the Last Will }
and Testament of Jean A. Otten, }
deceased, dated January 9, 1980 }

_____ (Seal)
_____ (Seal)
_____ (Seal)

STATE OF IDAHO

County of Canyon

ss.

On this 26th day of June in the year 1990, before me
the undersigned, a Notary Public in and for

said State, personally appeared Orville Otten, a widower; Margaret Rose Johnson
Trustee, Trust B established by the Last Will and Testament of Jean A.
Otten, deceased, dated January 9, 1980
known to me to be the persons whose names are subscribed to the within 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.

Richard H. Rorden
Notary Public for the State of Idaho,
Residing at Nampa, Idaho



WARRANTY DEED

No. _____

— TO —

Dated _____, 19____

STATE OF IDAHO,

County of Ada } ss.

I hereby certify that this instrument was filed
for record at request of Richard H. Rorden

at 25 minutes past 12.

o'clock P. M., this 6 day

of July, A. D. 1990

in my office, and duly recorded in Book _____

of _____ at page _____

JOHN BASISTA
Ex-Officio Recorder.

By B. Belveal
Deputy.

Fees, \$ 15.00

Mailed to _____

the year of our Lord one thousand nine hundred and ninety , between
Orville Otten, a widower; Margaret Rose Johnson, Trustee, Trust B estab-
lished by the Last Will and Testament of Jean A. Otten, deceased, dated
January 9, 1980,

of , County of Ada , State of Idaho ,

the parties of the first part, and Charles Anthony and Trudy Anthony, husband and
wife, as to a 3/4th interest; Leo Musick and Patricia Musick, husband and
wife, as to a 1/4th interest; real estate hereinafter described,
(Mailing address, Grantees: 5563 Columbia Rd., Nampa, ID 83687)
of , County of Ada , State of Idaho ,

the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

DOLLARS,

lawful money of the United States of America, to them in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all of the following described real estate.
situated in said County of Ada , State of Idaho, to-wit:

RESERVING, nevertheless, unto the Grantor, Orville Otten, a life estate
in the residence, and out-buildings on the premises as now used and
occupied by him, together with ingress and egress therefrom, and an
adequate supply of irrigation water, to continue as long as he is
physically able to occupy and use the same.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in
law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever,
and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns, against the said parties
of the first part, and their heirs and against all and every person and persons whomsoever, lawfully
claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

QUITCLAIM DEED

THIS INDENTURE, made this 22ND day of March, 1994, between LEO MUSICK and PATRICIA MUSICK, husband and wife, of ADA County, Idaho, hereinafter called GRANTORS, and CHARLES and TRUDY ANTHONY, of ADA County, Idaho, hereinafter called GRANTEES,

WITNESSETH:

FOR VALUE RECEIVED, the above named GRANTORS do hereby convey, release, remise and forever QUITCLAIM unto the above named GRANTEES, the real property described, together with the appurtenances, situated in Ada County, State of Idaho, bounded and more particularly described as follows, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof as if set forth in full.

This Deed conveys all right, title and interest now owned by GRANTORS in the above described property, together with any and all right, title and interest therein acquired by GRANTORS hereafter, up to and including the date of recording of this Deed.

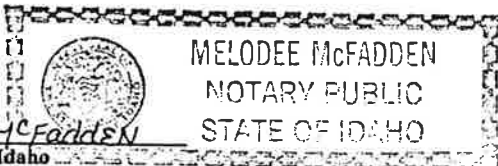
DATED this 22ND day of March, 1994.

Leo Musick
Leo Musick
Grantor

Patricia Musick
Patricia Musick
Grantor

STATE OF IDAHO)
) ss.
County of Ada)

On this 22ND day of MARCH, 1994, before me the undersigned Notary Public, in and for said State, personally appeared LEO MUSICK and PATRICIA MUSICK, husband and wife, known 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.



Notary Public for Idaho
Residing at: MERIDIAN, ID
Commission Expires: 2/28/2000

STATE OF IDAHO)
) ss.
County of Ada)

I hereby certify that this instrument was filed for record at the request of _____ at _____ minutes past _____ o'clock _____ m., this _____ day of _____, 1994, in my office, and duly recorded in Book _____ of Deeds at page _____.

Ex-Officio Recorder
By: _____

Fee: \$ _____

COPY

PARCEL I:

The Westerly 49.585 acres of the Northeast Quarter of Section Nine, in Township Two North of Range One West of the Boise Meridian, in Ada County, Idaho, more particularly described as follows, to-wit:

Commencing at the North Quarter Corner of said Section Nine, and running thence East on the North line of said Section a distance of 821 feet; thence South parallel to the center line of said section a distance of 2640 feet to the East and West center line of said Section; thence West on the said East and West center line of said Section a distance of 821 feet to the center of said section; thence North on the North and South center line of said Section a distance of 2640 feet to the point of beginning; save and except and subject to the Right of Way of the Oregon Short Line Railroad as now located and constructed; also the following described tract of land, to-wit: Commencing at the point of intersection of the East and West Half Section line of said Section Nine with the Easterly boundary line of the Right of Way of the said Oregon Short Line Railroad as now located and constructed and running thence East on the said Half Section line a distance of 901.5 feet; thence South and at right angles to said Half Section line a distance of 1002 feet to the Easterly boundary line of said Railroad Right of Way; thence in a Northwesterly direction on the Easterly boundary of said Railroad Right of Way a distance of 1346 feet more or less to the point of beginning.

EXCEPTING THEREFROM A part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, Township 2 North, Range 1 West of the Boise Meridian, Ada County, Idaho, being more particularly described as follows: BEGINNING at an aluminum cap at the NE corner of Section 9, Township 2 North, Range 1, West of the Boise Meridian, Ada County, Idaho; thence N. 88°36'09" West 1784.00 feet along the section line to a point, the REAL POINT OF BEGINNING; thence continuing N. 88°36'09" West 330.00 feet along the section line to a point; thence S. 1°23'51" West 271.00 feet to a point; thence S. 88°36'09" East 330.00 feet to a point; thence N. 1°23'51" East 271.00 feet to a point, the REAL POINT OF BEGINNING. Said tract contains 2.05 acres, more or less. INCLUDING a 25 foot road right-of-way along the North side of the above described property, and any other existing easements or rights-of-way. TOGETHER with all water rights, ditches and rights-of-way for ditches thereunto belonging or used in connection therewith.

(1)

EXHIBIT A

AND FURTHER EXCEPTING THEREFROM a tract of land located in Section 9, Township 2 N R 1 West Boise Meridian, Ada County, Idaho more particularly described as follows: Commencing at the North 1/4 corner of said Section 9 which is the real point of beginning; thence South 88°36'09" East 409.07 feet along the north boundary of said Section 9; thence South 02°10'51" West 214.36 feet; thence South 43°34'41" West 586.38 feet to a point on the midsection line; thence North 00°28'47" East 648.95 feet along the midsection line to the real point of beginning.

AND FURTHER EXCEPTING THEREFROM a tract of land, described as follows: BEGINNING at an aluminum Cap at the NE corner of Section 9, Township 2 North, Range 1, West of the Boise Meridian, Ada County, Idaho; thence N. 88°36'09" W. 666.00 feet along the section line to a point, the REAL POINT OF BEGINNING; thence continuing N. 88°36'09" W. 280.00 feet along the section line to a point; thence S. 1°23'51" W., 229.00 feet to a point; thence S. 88°36'09" E., 280.00 feet to a point; thence N. 1°23'51" E., 229.00 feet to a point, the REAL POINT OF BEGINNING.

Said parcel containing 1.47 acres, more or less, and including a 25 foot road right-of-way along the North side of the above described property, and any other existing easements or rights-of-way.

PARCEL II:

A portion of the Northeast Quarter (NE $\frac{1}{4}$) of Section Nine (9), Township Two (2) North, Range One (1) West of the Boise Meridian, more particularly described as follows: BEGINNING at a point 1819 feet West of the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Nine (9) and running thence North 2640' to a point on the North boundary line of said Section Nine (9); thence East on said boundary line a distance of 1819' to the Northeast corner of said Section Nine (9); thence South on the East boundary line of said Section Nine (9) a distance of 751 feet to a point on said line; thence North 84°14' West 405 feet; thence North 75°13' West 420 feet; thence South 77°43' West 220 feet thence North 67°59' West 520 feet to a point on the center line of Indian Creek; thence southeasterly along the center line of said Indian Creek to the point of intersection of said line with the East and West Half (W $\frac{1}{2}$) Section line through said Section Nine (9); thence West along said One Half (1/2) Section line 1669 feet, more or less, to the point of beginning.

EXCEPT the following described tract: Beginning at the point on intersection of the East and West One Half (1/2) Section line through Section Nine (9) with the center line of Indian Creek and running thence West on said One Half (1/2) Section line 894 feet; thence North 8°34' East 491 feet thence North 83°46' East 365 feet to the center line of said Indian Creek; thence Southeasterly in a meander line following the center line of said Indian Creek to the point of beginning, together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to water rights for 52.90 acres in the Ridenbaugh Canal and in the Nampa-Meridian Irrigation District. Subject to

exceptions and reservations contained in the patents from the United States, if any. Subject to the burdens incident to the inclusion of land with the boundaries of the Nampa-Meridian Irrigation District and the Kuna Cemetery Maintenance District.



October 22, 1996

CHARLES ANTHONY
TRUDY ANTHONY
5563 W COLUMBIA RD

NAMPA ID 83687

RE: CONTRACT #085-00471

Dear Mr. and Mrs. Anthony:

Enclosed are the documents from your paid file.

The Note, Mortgage, and Satisfaction of Mortgage will need to be taken to the County Courthouse of the county in which the property is located to be recorded.

Thank you for doing business with Idaho First Bank Contract Collections. We do value your patronage and if we may be of any further assistance to you, please contact us.

Sincerely,

A handwritten signature in cursive script, reading 'Marleen E. Grefer'.

Marleen E. Grefer
Customer Service Representative

MEG/da

Enclosures

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: A63-08551A
Date Received: 8/23/1989
Receipt No: C010168
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ORVILLE OTTEN
Address: 5101 W. COLUMBIA ROAD
NAMPA, ID

208-888-5299

83687

2. Date of Priority: MAR 07, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01W	9		NE	NE		ADA

5. Description of diverting works:
WELL, PUMP, DITCH & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.770		

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

A.F.A.

8. Total consumptive use is 134.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01W	9	NE	NE		IRR	14.5
			NW	NE		IRR	16.0
			SW	NE		IRR	1.0
			SE	NE		IRR	7.0

Section Acres 38.5

A63-08551A

Page 1

Date: 02/09/90

NOTE- 4 AC
in SNAKE RD.
under A63-
08630

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Total Acres 38.5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
 NAMPA-MERIDIAN IRR. DIST., A63-08630

14. Remarks:
 THIS RIGHT WAS A PORTION OF WATER RIGHT A63-08551

15. Basis of Claim: LICENSE

MICROFILMED
AUG 24 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
AUG 24 1992

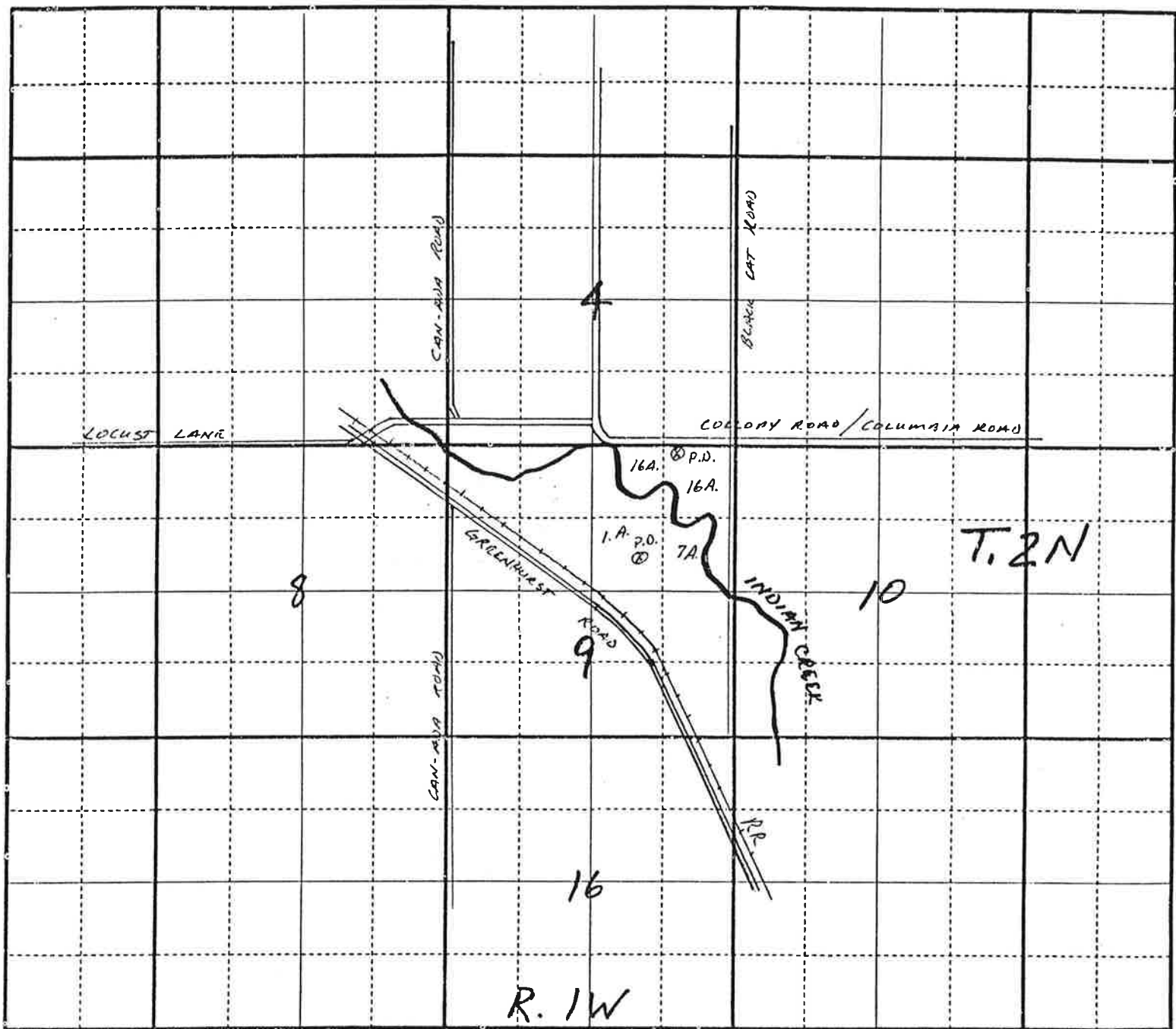


Diagram of System

MICROFILMED
AUG 24 1992

RECEIVED

JAN 16 1990

Department of Water Resources
Western Regional Office

Ridenbauge Canal A63-08551

CHANGE IN OWNERSHIP

Civil Case # 39576

Ident. # A63-08630

[] Water Right Number(s):

[] Name and Address of
Former Claimant:

Orville Otten

5101 W. Columbia Rd.

Nampa Idaho 83687

[] New Claimant(s):

Robert C. Otten

5055 W. Columbia Rd.

[] New Mailing Address:

Robert C. Otten

5055 W. Columbia Rd.

Nampa, Idaho 83687

New Telephone Number: (208) 888-6773

[] Does the change in ownership result in a splitting of the
water right claimed? ☒ yes ☒ no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

See attached

[] Attach proof of ownership

Describe proof attached:

See attached

[] Signature of New Claimant(s):

Robert C. Otten

Date: 1-13-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

MICROFILMED

AUG 24 1992

COPY

DEED OF TRUST

THIS DEED OF TRUST, Made this
BETWEEN Robert C. Otten

26th

day of

October

1989,

herein called GRANTOR,

whose address is 5055 W. Columbia Rd., Nampa, ID 83687

PIONEER TITLE COMPANY OF CANYON COUNTY, an Idaho corporation, herein called TRUSTEE, whose address is 100 - 10th Avenue So., Nampa, Idaho 83651, and Orville Otten, dindividually; Margaret Rose Johnson, Trustee* herein called BENEFICIARY, whose address is 5101 W. Columbia Rd., Nampa, ID 83687

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Ada State of Idaho, described as follows, and containing not more than twenty acres:

A survey of a 1.47 Acre parcel, located in the N E $\frac{1}{4}$ of the N E $\frac{1}{4}$ of Section 9, T-2-N, R-1-W, B. M., Ada County, Idaho; Being more particularly described as follows:

Beginning at an aluminum Cap at the N E corner of Section 9, T-2-N, R-1-W, B. M., Ada County, Idaho; thence N 88° 36' 09" W 666.00 feet along the section line to a point, the real point of beginning; thence continuing N 88° 36' 09" W 280.00 feet along the section line to a point; thence S 1° 23' 51" W 229.00 feet to a point; thence S 88° 36' 09" E 280.00 feet to a point; thence N 1° 23' 51" E 229.00 feet to a point, the real point of beginning.

Said parcel containing 1.47 Acres, more or less.

Including a 25 foot road right of way along the North side of the above described property and any other existing easements or rights of way.

I, J. R. Weissrock, a registered Land Surveyor in the State of Idaho, do hereby certify that I made a survey of the property described above. I further certify that the above description correctly shows the true dimensions of the property surveyed.



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any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

8. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or change hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this deed of trust of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

6. Upon default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In the event of default, Beneficiary shall execute or cause the Trustee to execute a written notice of such default and of his election to cause to be sold the herein described property to satisfy the obligations hereof, and shall cause such notice to be recorded in the office of the recorder of each county wherein said real property or some part thereof is situated.

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: A63-08551

Date Received: 8-23-89

Receipt No: 9010168

Received By: hat

RECEIVED

AUG 23 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORVILLE OTTEN 208-888-5299
Address: 5101 W. COLUMBIA ROAD
NAMPA, ID 83687

2. Date of Priority: MAR 07, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	01W	9	NE	NE	NE		ADA

5. Description of diverting works:
WELL, PUMP, DITCH & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	01W	9	NE	NE		IRR	16.0
			NW	NE		IRR	16.0
			SW	NE		IRR	1.0
			SE	NE		IRR	7.0

Section Acres 40.0

A63-08551

Page 1

Date: 08/23/89

MICROFILMED

AUG 24 1992

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

NAMPA-MERIDIAN IRR. DIST. A63-08630

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. W. O. O. O. O. Date: 8-23-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of August 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01W	9	SE NE		IRR	7.0
Section Acres						40.0
Total Acres						40.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

NAMPA-MERIDIAN IRR. DIST., A63-08630

14. Remarks:

SPLIT RIGHT

A63-08551A ORVILLE OTTEN .77CFS 38.5 ACRES

A63-08551B ROBERT OTTEN .03CFS 1.5 ACRES

15. Basis of Claim:

Receipt Details for ID C010168

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/23/1989 3:17:26 PM	8/23/1989	State	\$257.00	Check
Payer		OTTEN, ORVILLE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
11236			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$257.00	ADJUDICATION FEE	410162	9337	0 0		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8551	A	\$56.50	Claim
63	8630		\$124.00	Claim
63	22753		\$25.00	Claim
63	22754		\$25.00	Claim
63	8551	B	\$26.50	Claim

[Print Report](#)

Music, Vicky

From: Music, Vicky
Sent: Thursday, July 19, 2007 1:04 PM
To: Ted Booth (E-mail)
Cc: Shurte, Jan; Spencer, Nick; Harvey, Becky
Subject: FW: 63-8551A, 63-8551B, 63-8630

Special Master Booth -

Sorry that I am just now getting back to your questions re the Basin 63, Part 2 uncontested recommendations.

You are correct that the combined use remarks for 63-8551A & B should reference 63-8630 and not 63-8930. [the combined use remarks for 63-8630 are correct]

Vicky Music

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

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Friday, January 05, 2007 4:02 PM
To: Shurte, Jan
Subject: 63-8551A, 63-8551B, 63-8630

Jan,

Water right Nos. 63-8551A and 63-8551B have a combined use limitation remark with water right 63-8930. I think it should be 63-8630, not 63-8930.

Ted

Eliminate annoying spam!

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

Tracking:

Recipient

Ted Booth (E-mail)
Shurte, Jan
Spencer, Nick
Harvey, Becky

Delivery

Delivered: 7/19/2007 1:04 PM
Delivered: 7/19/2007 1:04 PM
Delivered: 7/19/2007 1:04 PM

Music, Vicky

From: Shurte, Jan
Sent: Thursday, January 11, 2007 9:55 AM
To: Music, Vicky
Cc: Shurte, Jan
Subject: FW: 63-8551A, 63-8551B, 63-8630

Vicky - would you please check this out and respond to Ted. Thanks, Jan

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

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Friday, January 05, 2007 4:02 PM
To: Shurte, Jan
Subject: 63-8551A, 63-8551B, 63-8630

Jan,

Water right Nos. 63-8551A and 63-8551B have a combined use limitation remark with water right 63-8930. I think it should be 63-8630, not 63-8930.

Ted

1 true

Eliminate annoying spam!

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

12/01/2005

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

RIGHT NUMBER: 63-8551A

NAME AND ADDRESS: CHARLES E ANTHONY
5563 W COLUMBIA RD
NAMPA ID 83687

TRUDY A ANTHONY
5563 W COLUMBIA RD
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.770 CFS
134.700 AFY

The rights listed below are limited to a total combined diversion rate of
1.28cfs and to a total combined annual diversion volume of 513 AF. Combined Right
Nos.: 63-8551A, 63-8551B and 63-8930.

PRIORITY DATE: 03/07/1977

POINT OF DIVERSION:

T02N R01W S9 NENE Within ADA County

T02N R01W S9 SWNE Within ADA County

Right No. 63-8930 is also diverted through point of diversion described above
in the SWNE S9, T2N R1W and Right No. 63-8551B is also diverted through the point of
diversion described above in the NENE S9 T2NR1W.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.770 CFS 134.70 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 or late irrigation use and a priority
date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S09	NENE	14.5	T02N R01W S09	NWNE	16.0
T02N R01W S09	SWNE	1.0	T02N R01W S09	SENE	7.0

38.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of
106 acres in a single irrigation season. Combined Right Nos.: 63-8551A,
63-8551B and 63-8930.

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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 21, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Charles and Trudy Anthony
5563 W. Columbia Rd
Nampa, ID 83687

Notice of Claim to a Water Right No. 63-8551A, 63-8551B, 63-8630
Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was 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 and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

10/05/2005

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

RIGHT NUMBER: 63-8551A

NAME AND ADDRESS: ORVILLE OTTEN
5101 W COLUMBIA RD
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.770 CFS
134.700 AFY

The rights listed below are limited to a total combined diversion rate of 1.28cfs and to a total combined annual diversion volume of 513 AF. Combined Right Nos.: 63-8551A, 63-8551B and 63-8930.

PRIORITY DATE: 03/07/1977

POINT OF DIVERSION:

T02N R01W S9 NENE Within ADA County

T02N R01W S9 SWNE Within ADA County

Right No. 63-8930 is also diverted through point of diversion described above in the SWNE S9, T2N R1W and Right No. 63-8551B is also diverted through the point of diversion described above in the NENE S9 T2NR1W.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.770 CFS 134.70 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T02N R01W S09	NENE	14.5	T02N R01W S09	NWNE	16.0
T02N R01W S09	SWNE	1.0	T02N R01W S09	SENE	7.0

38.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 106 acres in a single irrigation season. Combined Right Nos.: 63-8551A, 63-8551B and 63-8930.

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 - License

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

Water Right 63-8551A

1



State of Idaho
Idaho Department of Water Resources
Western Region

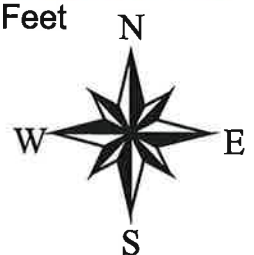
T2N R1W SECTION 9

Water Right (s): 63-63-8551A



1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES = 38.5



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: October 2005

Desktop RWHW/VLM

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

license/aplit

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-8551A

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
☐ POD found is different than claimed: _____
☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

*See license Exam***OVERLAP REVIEW**

Other water rights with the same point of diversion:

63-8451 B, 8630

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

*63-8630 adds Q up to 1.28 cfs x 106 acres***WATER USES**☒ No change☐ Different Uses

Use *11/15* From *3/15* To *11/15* Amount *.77* CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

*need you consider new unit***TOTAL VOLUME – Groundwater only**

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8551A

10/05/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-8551	Claim	02N	01W	9	NE	NE		GROUND WATER	
63-8551A	Claim	02N	01W	9	NE	NE		GROUND WATER	ORVILLE OTTEN
63-8551B	Claim	02N	01W	9	NE	NE		GROUND WATER	M KAY OTTEN
63-19533	Claim	02N	01W	9	NE	NE		GROUND WATER	BRUCE C ANDERSON
63-22753	Claim	02N	01W	9	NE	NE		GROUND WATER	ORVILLE OTTEN
63-22754	Claim	02N	01W	9	NE	NE		GROUND WATER	ORVILLE OTTEN
63-8551	Water Right	02N	01W	9	NE	NE		GROUND WATER	ORVILLE OTTEN
63-19533	Water Right	02N	01W	9	NE	NE		GROUND WATER	SHARON H ANDERSON
63-22753	Water Right	02N	01W	9	NE	NE		GROUND WATER	ROBERT C OTTEN
63-22754	Water Right	02N	01W	9	NE	NE		GROUND WATER	CHARLES E ANTHONY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8551A

03/29/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3551A	Claim	02N	01W	9	NE	NE		IRRIGATION	14.5/38.5	ORVILLE OTTEN
3551B	Claim	02N	01W	9	NE	NE		IRRIGATION	1.5/1.5	M KAY OTTEN
8630	Claim	02N	01W	9	NE	NE		IRRIGATION	1/74	ORVILLE OTTEN
8551	Water Right	02N	01W	9	NE	NE		IRRIGATION	16/40	ORVILLE OTTEN
8630	Water Right	02N	01W	9	NE	NE		IRRIGATION	1/74	ORVILLE OTTEN
22754	Water Right	02N	01W	9	NE	NE		STOCKWATER		CHARLES E ANTHONY
19533	Water Right	02N	01W	9	NE	NE		DOMESTIC		SHARON H ANDERSON
22753	Water Right	02N	01W	9	NE	NE		DOMESTIC		ROBERT C OTTEN
22754	Water Right	02N	01W	9	NE	NE		DOMESTIC		CHARLES E ANTHONY
3551A	Claim	02N	01W	9	NW	NE		IRRIGATION	16/38.5	ORVILLE OTTEN
8630	Claim	02N	01W	9	NW	NE		IRRIGATION	19/74	ORVILLE OTTEN
8551	Water Right	02N	01W	9	NW	NE		IRRIGATION	16/40	ORVILLE OTTEN
8630	Water Right	02N	01W	9	NW	NE		IRRIGATION	19/74	ORVILLE OTTEN
29708	Water Right	02N	01W	9	NW	NE		DOMESTIC		LINDA DICKSON
3551A	Claim	02N	01W	9	SW	NE		IRRIGATION	1/38.5	ORVILLE OTTEN
8630	Claim	02N	01W	9	SW	NE		IRRIGATION	38/74	ORVILLE OTTEN
8551	Water Right	02N	01W	9	SW	NE		IRRIGATION	1/40	ORVILLE OTTEN
8630	Water Right	02N	01W	9	SW	NE		IRRIGATION	38/74	ORVILLE OTTEN
3551A	Claim	02N	01W	9	SE	NE		IRRIGATION	7/38.5	ORVILLE OTTEN
8630	Claim	02N	01W	9	SE	NE		IRRIGATION	8/74	ORVILLE OTTEN
8551	Water Right	02N	01W	9	SE	NE		IRRIGATION	7/40	ORVILLE OTTEN
8630	Water Right	02N	01W	9	SE	NE		IRRIGATION	8/74	ORVILLE OTTEN
18843	Water Right	02N	01W	9	SE	NE		STOCKWATER		PAUL A PADUANO
18843	Water Right	02N	01W	9	SE	NE		DOMESTIC		PAUL A PADUANO
19661	Water Right	02N	01W	9	SE	NE		DOMESTIC		CHERYL SHAPEL
19662	Water Right	02N	01W	9	SE	NE		DOMESTIC		CHERYL SHAPEL
22794	Water Right	02N	01W	9	SE	NE		DOMESTIC		JOSEPH A SLOPER

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

A63-08551A

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>N</u>						
PT. OF DIV.	<u>N</u>						
SOURCE	<u>N</u>						DATA ENTRY COMPLETED BY _____ DATE _____
PL. OF USE	<u>N</u>						FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF	<u>N</u>						
CONSUMPTIVE USE	<u>Y</u>						
NATURE OF USE	<u>N</u>						
PERIOD OF USE	<u>N</u>						
BASIS OF CLAIM	<u>N</u>						
REMARKS	<u>N</u>						

N/A

IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: _____

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/23/95 08:22:52
Page 1

Water Right Number - 63-08551

Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
OTTEN

ORVILLE

1 - RT. 6 BOX 6606

2 -

3 -

City- NAMPA

Phone -

State- ID Zip- 83651

+ - - Priority Date - - - + - - - Region - - - + - - - Stage - - - + - - - Status - - - +
03/07/1977 ✓ 14 WESTERN L - LICENSE ✓

+ - - Source - - - + - - - Tributary - - - - - +
GROUNDWATER ✓

+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

02N 01W 9 NE NE (1) ADA

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 03/15 11/15 0.800 180.00

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +
0.800 0.77 0.03 180.00

+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

02N 01W 9 NE NE 14.5 01 IRRIGATION (1) ADA
02N 01W 9 NW NE 16.0 01 IRRIGATION (1) ADA
02N 01W 9 SW NE 1.0 01 IRRIGATION (1) ADA
02N 01W 9 SE NE 7.0 01 IRRIGATION (1) ADA

Total Acres: 38.5
1.5

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NAMPA-MERIDIAN IRR. DIST. ✓

+ - - Remarks - - - - - +

THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED
WITH LICENSE 63-8630 SHALL NOT EXCEED 1.28 CFS.

+ - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-08551 A

Date: 2-8-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim				14.5	16	1	7													
GIS				40	40	40	40													38.5
																				120
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Total Claimed Acres: 38.5

Total GIS Acres: 120

Overlapping POU Claim #'s:

63-08551 B, 63-08630

COMMENTS:

couldn't determine claimed acres within irrigated acres.
2 pool's on map - only one on claim

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8551A

WATER RIGHT NUMBER: 63-8551A

Owner Type

Current Owner

Name and Address

ORVILLE OTTEN
5101 W COLUMBIA RD
NAMPA, ID 83687
(208)888-5299

Priority Date: 03/07/1977

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
3/15 to 11/15

Diversion Rate

0.770 CFS

Annual VolumeTotal Diversion: 0.770 CFSLocation of Point(s) of Diversion

GROUND WATER

ADA County

NE1/4NE1/4

Sec. 9, Twp 02N, Rge 01W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	01W	9	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	38.5
			14.5	16.0	1.0	7.0													

Total Acres: 38.5

Conditions of Approval:Remarks:

1. General

THIS RIGHT WAS A PORTION OF WATER RIGHT A63-08551

63-8551B
combined use rate 63-8630 - 1.28 CFS

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8551

WATER RIGHT NUMBER: 63-8551

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ORVILLE OTTEN 5101 W COLUMBIA RD NAMPA, ID 83687 (208)888-5299

Priority Date: 03/07/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.800 CFS	180.00 AF
	<u>Total Diversion:</u>	0.800 CFS	180.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 9, Twp 02N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
02N	01W	9	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			16.0	16.0	1.0	7.0													40.0

Total Acres: 40

Conditions of Approval:

- 016 See remarks for additional conditions of approval.

Remarks:

- General THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED WITH LICENSE 63-8630 SHALL NOT EXCEED 1.28 CFS.

Comments:Dates and Other Information:

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that ORVILLE OTTEN

Beneficial Use	☒ Period of Use	Rate of Diversion	Annual Volume
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Subject, however, to the condition that no more than 0.80 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 180 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 2N, Rde. 1W, B.M. in the County of Ada

[illegible]

CONDITION:

NOTE: 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.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of February, 19 80.

Director

MICROFILMS

TOTAL ACREAGE

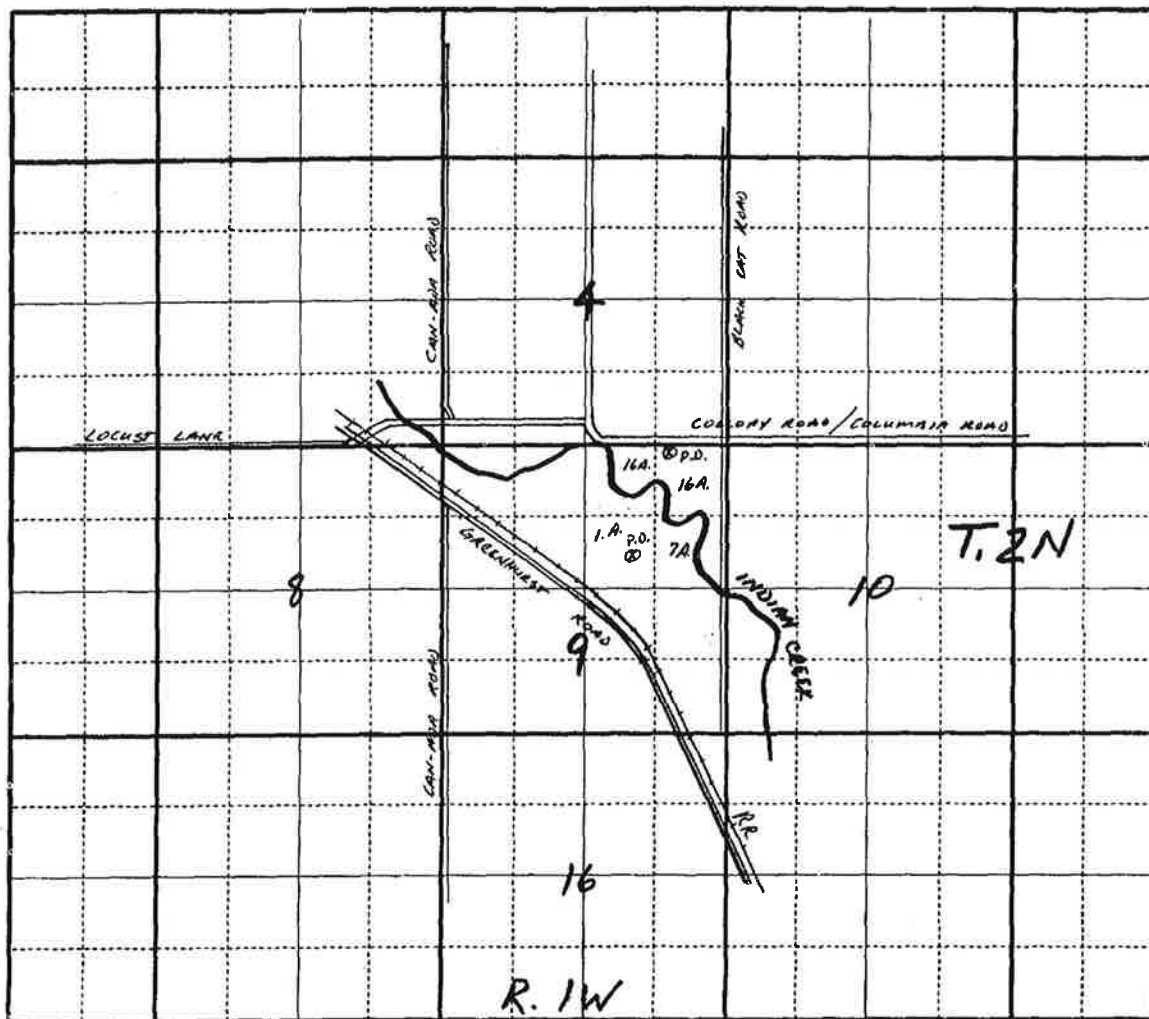


Diagram of System

DATE OF EXAM 7/13/79

ACREAGE
Found 40
Recommended 40

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 180.80 c.f.s. V = 180.0 AF/Ann. from 3/15 to 11/15
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 1.53 cfs + 0.75 cfs = 1.28 cfs TOTAL CAPACITY FOR County
1" per acre @ 0.80 cfs Method of measurement CALCULATION
Total Q recommended 1.53 cfs Meter No. Type Condition

Total V recommended 180 AF/Ann

Recommended Amendments:

P.D. ADD P.D. SW 1/4 NE 1/4, SEC 9, T2N, R1W
Place of Use ADD SW 1/4 NE 1/4 (1 acre) & SW 1/4 NE 1/4 (70 acres) SEC 9, T2N, R1W
Other
None

MEASUREMENT CALCULATION:

$$Q = 5.4 \text{ gpm} (80\% \text{ EFF}) (8.8) / 20 \text{ psi} (1/4 \text{ in.}) + 20' \text{ LIFT} = 1.53 \text{ cfs}$$

$$V = (4.5 \text{ AF/Acre}) (40 \text{ acres}) = 180 \text{ AF/Ann}$$

$$V = 1.53 \text{ cfs} (1.99) (24.5 \text{ ft/gal}) = 257.10 \text{ AF/Ann}$$

SYSTEM DESCRIPTION:

5hp SUBMERSIBLE PUMP 4" LINE INTO DITCH SUPPLEMENTAL WATER.

REMARKS:

P.D. IN SW 1/4 NE 1/4, SEC 9, T2N, R1W ALSO COVERED BY 63-8630 FOR OTHER LANDS.

Examiner's Signature Charles W. Boyan Jr. Date 7/13/79

Checked by ✓ Date Aug 11

Approved by Date