

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: A36-00029A
Date Received: 9/01/1988
Receipt No: S002040
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALAN K. BOYER 208-837-4734
Address: RT 1 BOX 223
HAGERMAN, ID 83332

AND/OR
Name: VALORIE K. BOYER ✓ 208-837-4734
Address: RT 1 BOX 223
HAGERMAN, ID 83332

2. Date of Priority: FEB 17, 1896

3. Source: THREE SPRINGS Trib. to: BILLINGSLEY CR.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	14E	30	SE	NW			GOODING

5. Description of diverting works:
PIPE, HEAD BOX, SMALLER PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & LAWN

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	13E	24	NE	NW	DOMEST IRR	16.0
Section Acres						16.0
Total Acres						16.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:
PORTION OF 36-0029 DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

MICROFILMED

JAN 20 1993

(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.

JAN 20 1993

21+0
660c

T568

A
33.8

C
38.4

13.0

D
9.9

E
19.3

TS

-17 A
-250, 5.7

D
10.7

C278
(642c)

A
11.1

C 312
(521c)

T629

F
34.5

E. 1/2 C
3.2 | 3.1 | 3.4

208

A
10.8

$$\begin{array}{r} 8 \\ 3.6 \end{array}$$

A
4.5

7516

13.0

C366

(597c)

5.

B
7.4

68.6

102

8

5

4.15

Δ

—1

DEC - 3 2001

Department of Water Resources

Important Information About Your Water Right

November 27, 2001

Alan K Boyer
Valorie K. Boyer
Rt 1 Box 223
Hagerman, ID 83332

36-29A

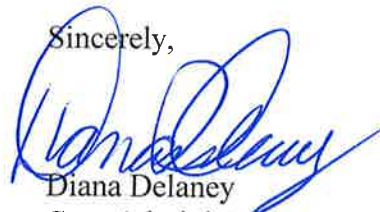
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 36-00029A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

2001 NOV 27 PM 3:05

39576

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

In Re SRBA	)	Water Right 36-00029A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on August 2, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 02-15 to 11-30

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RETURNED TO
SENDER

☒ INSUFFICIENT ADDRESS

☐ NO SUCH NUMBER

☐ UNCLAIMED ☐ REFUSED

☐ ATTEMPTED NOT KNOWN

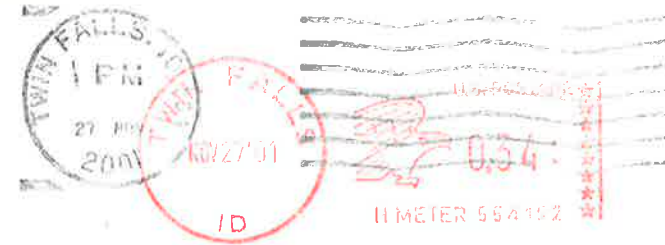
☐ NO SUCH STREET

☐ VACANT

☐ NO RECEPTACLE

☐ NOT DELIVERABLE AS
ADDRESSED, UNABLE
TO FORWARD

ROUTE _____ DATE _____
CARR/INITIALS _____



36-29A





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 21, 2001

ALAN K BOYER
VALERIE K BOYER
PO BOX 441
HAGERMAN ID 83332

3-28-02
Response.

RECEIVED

APR 01 2002

Department of Water Resources
Southern Region

Re: Snake River Basin Adjudication (SRBA)
Water Right(s) #36-29A
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by January 11, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

the Attorney General
.4449
83711-4449



☐ INSUFFICIENT ADDRESS
☐ NO SUCH NUMBER
☐ UNCLAIMED ☐ REFUSED
☐ ATTEMPTED NOT KNOWN
☐ NO SUCH STREET
☐ VACANT
☐ NO RECEPTACLE
☒ NOT DELIVERABLE AS
ADDRESSED - UNABLE
TO FORWARD
ROUTE NO. _____ DATE _____
CARR/INITIALS _____

ADDRESS SERVICE
REQUESTED



36-29A^{WR}
CID 68539

PO Box 441
Valerie K.
BOYER, ALAN K
RT 1 BOX 223
HAGERMAN ID 83332

msheet, old add.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-00029A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

November 3, 1997 2:45pm

NAME:

PAULINE THOMAS

CALLIN

RE:

STATUS OF 36-00029A

SHE CALLED TO ASK WHAT I HAD FOUND REGARDING HER RIGHT ABOVE. I EXPLAINED THE CLAIM FILED BY BOYERS WAS FOR 16 ACRES AND 0.32 CFS DIVERSION RATE... THAT IS EXACTLY THE SAME AS WE RECOMMENDED IT TO BE. SHE DESCRIBED TWO PARCELS OF LAND AND TOLD ME THEY ARE CLEARING OUT SOME BRUSH AND WILL BEGIN IRRIGATING ADDITIONAL LANDS IN EXCESS OF THE 16 ACRES RECOMMENDED. I TOLD HER THERE IS NO DOCUMENTATION OF A SPLIT OF THIS RIGHT DO TO THE PREVIOUS OWNERS DIVORCE, IT REMAINS AS ONE RIGHT AS I STATED. SHE THEN STATED SHE WILL HAVE TO GET A LAWYER TO RESOLVE THIS PROBLEM.

SHE WANTED TO KNOW WHY THE DEPARTMENT ONLY GAVE THEM 0.32 CFS AND I TOLD HER THAT IS WHAT WAS CLAIMED BY THE BOYERS, SHE GOT ANGRY AND TOLD ME THAT GROUND REQUIRES MORE WATER THAN 1" PER ACRE - DOESN'T THE DEPT. REALIZE THAT? I REPEATED MY DESCRIPTION OF THE RIGHT AS FILED BY BOYERS AND TOLD HER NO OBJECTION HAS BEEN FILED ON THIS RIGHT. WITHOUT AND OBJECTION THE RIGHT WILL BE OFFERED AS IS TO THE COURT FOR PARTIAL DECREE SHE MENTIONED THE NEED TO GET A LAWYER AGAIN.

I OFFERED ANY ASSISTANCE NEEDED BY THE DEPT. FOR COPIES, CLAIMS OR OTHER NECESSARY INFORMATION FOR HER INVESTIGATION.

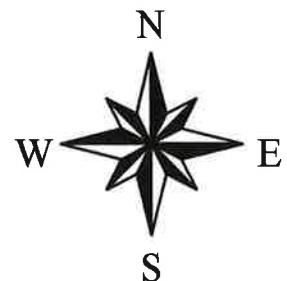
IDAHO DEPARTMENT OF WATER RESOURCES

36-00029A



660 0 660 Feet

TNS 7S, RNG 13E
SEC 25, NENW



⊙ Recommended Point of Diversion

 Recommended Place of use

 Section lines

 Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY OCTOBER 1997
BY STEVE CLELLAND

CLAIM NUMBERS 36-00029 ADATE 10/31/97

TRANSFER NUMBER _____

OBJECTION FILED 16AGENT SamTOTAL ACRES FROM RECOMMENDATION 16

GEOGRAPHIC INFO SYSTEM

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>7S</u>	<u>13E</u>	<u>25</u>					<u>16</u>											<u>16</u>
GIS								<u>20</u>											<u>20</u>
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

POLYGON CREATED ON 604 () _____

B36-DBPOU.DBF _____

ATTRIBUTES OF B36-POU.SHP (712 10/31/97 See

B36-DBPOD.DBF _____

ATTRIBUTES OF B36-POD.SHP 459

Claim limited right to 16 acres. Could increase to 20 acres w/ Amendment.

> 5% increase P/U CONFLICT yes (X) No 0.05
in GIS Area no (X)

P/D CONFLICT yes () no (X)

READY FOR DECREE yes (X) no ()

SENT FOR DECREE yes (X) no ()

Claim No. A36-00029A

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IDWR Employee/Agent Steve Clelland

July 2, 1997 3:49pm

NAME: **CLIFF JENSEN** RE: **CALLIN/BACK 837-6116 36-00029A**

HE WANTED TO KNOW THE INFO FOR THE ABOVE RIGHT... I GAVE HIM THE 1932 VERSION AS LISTED ON THE DATABASE AS 2.0 CFS FOR TWO Q-Q'S. THE 1992 REC-D BY IDWR WAS PART-A 0.32 CFS ON 16 AC. AND PART-B WAS 0.60 CFS ON 35 ACRES.

HE THEN REQUESTED A FAX OF PART-A. (TO THE SAME NO. ABOVE)

ok ✓ su

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED
1994

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A36-00029A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

February 27, 1995 1:01pm

NAME:

ART JONES & AL BOYER

RE:

CAMEIN

SALE OF LAND; A36-00029A

THEY CAME IN AS A FOLLOW UP TO A PREVIOUS DISCUSSION MR. JONES HAD W/ JEANIE R. AND ME. I EXPLAINED THE SRBA PROCESS AND POINTED OUT THE PERIOD OF OBJECTIONS HAS PASSED. I REMINDED THEM MR. BOYER SHOULD GET AN ATTORNEY TO FIND OUT IF HE CAN STILL FILE DOCUMENTS WITH THE COURT. I SUMMARIZED HIS RECOMMENDATION AS THE BENEFICIAL USE AS FOUND BY THE DEPT. AND REC'D TO THE COURT. MAY RETURN LATER WITH NEW BUYERS TO CLARIFY THE SPLIT OF THE RIGHT.

COMMUNICATION DOCUMENTATION

Claim No. 36-00029A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 2/24/95Contact Person(s) ART JONES (Landwatch Realty)
733-3667Nature of Contact office visit

Substance of Communication Mr. Jones had some questions on this property as he is trying to sell it. Gave him a copy of the proof. While reviewing the file, I noticed that there is an ownership change which results in a split that has not been processed in the file. It appears that neither party has responded to Kelly's request for information and that's why the change is still pending.

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

May 9, 1996 11:41am

CUSTOMER

DELORES JONES

36-00029A, 36-10269

SUBJECT: QUESTIONS ON OWNERSHIP AND OWNERSHIP CHANGE
phone call (.) walk-in (X)

36-00029A

She wanted to know how we had 36-00029A ownership listed, for her assessment purposes? We show it under the name of Boyer. She said there has been a divorce and wondered if it might have been split. We have received no change requests that I could find...

36-10269

Said she and her husband have purchased a house with a domestic well from Thorleif and Barbara Rangen, which I believe to be this right, based on the legal description. She had a deed conveying it from the Rangen's but our records show the claim to be under the name of Rangen, Inc. Told her we'd need a deed conveying it from the corporation to the Rangen's also. She took an ownership change form and will get back to me...

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 1-29-93

LEGAL DESCRIPTION OF PROPERTY: Township 7 S Range 13 E
Section 24, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED WARRANTY DEED FOR legal Description

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 36-00029A

☐ Name and Address of Former Owner/Claimant(s)(Seller): VALORIE K. BOYER Bothof
3966 North - 1100 EAST

☐ New Owner/Claimant (Purchaser): BUHL, IDAHO 83316
STEVEN VERNE ROOT

☐ New Mailing Address: 2507 DEWEY STREET
BOISE, IDAHO 83702

☐ New Telephone Number: (208) 344-7839

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

X ☒ Signature of New Owner/~~Claimant(s)~~ Steven V. Root Date 2-11-93

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed: _____
Further Action Taken
Date: _____ By: _____

RECEIVED

FEB 17 1993

Department of Water Resources

WARRANTY DEED

For Value Received

Valorie K. Boyer Bothof and Donlèy Bothof
(DB)

The grantors, do hereby grant, bargain, sell and convey unto Steven Verne Root

The grantee, whose current address is 2507 Dewey Street, Boise, ID 83702
the following described premises, in Gooding County Idaho, to-wit:

SEE ATTACHMENT "A"

(DB) 

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
his heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises; that they are free
from all incumbrances EXCEPT current and subsequent years taxes, easements and
rights-of-ways of record.

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

Dated: January 29, 1993


Valorie K. Boyer Bothof


Donlèy Bothof
(DB)

ATTACHMENT H

LEGAL DESCRIPTION

VALORIE K. BOYER BOTHOFF AND DONELY BOTHOFF, HUSBAND AND WIFE
TO
STEVEN VERNE ROOT

A PARCEL OF LAND BEING PART OF THE SE1/4SW1/4 OF SECTION 24 AND PART OF THE NE1/4NW1/4 OF SECTION 25 OF TOWNSHIP 7 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ONE QUARTER(1/4) CORNER COMMON TO SECTIONS 24 AND 25 OF TOWNSHIP 7 SOUTH, RANGE 13 EAST, BOISE MERIDIAN, THENCE N89 37'16"W ALONG THE SECTION LINE COMMON TO SECTIONS 24 AND 25 FOR A DISTANCE OF 500.39 FEET TO THE TRUE POINT OF BEGINNING:

THENCE S00 34'01"W PARALLEL WITH THE EAST BOUNDARY OF THE NE1/4NW1/4 OF SECTION 25 FOR A DISTANCE OF 212.00 FEET;

THENCE N89 37'23"W PARALLEL WITH THE SOUTH BOUNDARY OF THE NE1/4NW1/4 OF SECTION 25 FOR A DISTANCE OF 812.48 FEET TO A POINT ON THE WEST BOUNDARY OF THE NE1/4NW1/4 OF SECTION 25;

THENCE N00 31'00"E ALONG THE WEST BOUNDARY OF THE NE1/4NW1/4 OF SECTION 25 FOR A DISTANCE OF 212.01 FEET TO THE NORTHWEST CORNER OF THE NE1/4NW1/4 OF SECTION 25;

THENCE N00 08'29"E ALONG THE WEST BOUNDARY OF THE SE1/4SW1/4 OF SECTION 24 FOR A DISTANCE OF 100.00 FEET;

THENCE S89 37'16"E PARALLEL WITH THE SOUTH BOUNDARY OF THE SE1/4SW1/4 OF SECTION 24 FOR A DISTANCE OF 502.76 FEET;

THENCE S04 22'28"E FOR A DISTANCE OF 66.20 FEET;

THENCE S20 08'20"E FOR A DISTANCE OF 36.33 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE SE1/4SW1/4 OF SECTION 24;

THENCE S89 37'16"E ALONG THE SOUTH BOUNDARY OF THE SE1/4SW1/4 OF SECTION 24 FOR A DISTANCE OF 292.09 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 5.13 ACRES, MORE OR LESS

TOGETHER WITH:

1- A 20.0 FOOT WIDE ACCESS EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS, SAID EASEMENT BEING CENTERED ON THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTH ONE QUARTER(1/4) CORNER OF SAID SECTION 24, THENCE S00 34'01"W ALONG THE EAST BOUNDARY OF THE NE1/4NW1/4 FOR A DISTANCE OF 644.00 FEET TO THE TRUE POINT OF BEGINNING:

MICROFILMED

OCT 11 1994

THENCE N55 47'32"W FOR A DISTANCE OF 159.68 FEET;

THENCE S89 49'17"W FOR A DISTANCE OF 367.48 FEET TO THE
TERMINUS OF SAID EASEMENT.

2- A 25.0 FOOT WIDE ACCESS EASEMENT FOR THE PURPOSE OF
INGRESS AND EGRESS THAT IS CENTERED ON THE FOLLOWING
DESCRIBED LINE:

COMMENCING AT THE NORTH ONE QUARTER(N1/4) CORNER OF SAID
SECTION 25, THENCE S00 34'01"W ALONG THE EAST BOUNDARY OF THE
NE1/4NW1/4 FOR A DISTANCE OF 644.00 FEET, THENCE N55 47'32"W
FOR A DISTANCE OF 159.68 FEET, THENCE S89 49'17"W FOR A
DISTANCE OF 367.48 FEET TO THE TRUE POINT OF BEGINNING:

THENCE CONTINUING S89 49'17"W FOR A DISTANCE OF 12.5
FEET;

THENCE N00 34'01"E FOR A DISTANCE OF 346.70 FEET TO THE
SOUTHERLY BOUNDARY OF THE DESCRIBED PARCEL AND THE TERMINUS
OF SAID EASEMENT.

3- A 25.0 FOOT WIDE ACCESS EASEMENT FOR THE PURPOSE OF
INGRESS AND EGRESS, SAID EASEMENT BEING CENTERED ON THE
FOLLOWING DESCRIBED LINE:

COMMENCING AT A POINT THAT IS LOCATED N00 24'33"E-87.5
FEET FROM THE S1/4 CORNER OF SAID SECTION 25 AND BEING THE
TRUE POINT OF BEGINNING:

THENCE N89 37'16"W PARALLEL WITH THE SOUTH BOUNDARY OF
THE NE1/4NW1/4 OF SECTION 25 FOR A DISTANCE OF 810.75 FEET,
MORE OR LESS TO THE EASTERLY BOUNDARY OF THE DESCRIBED PARCEL
AND THE TERMINUS OF SAID EASEMENT.


VALORIE K. BOYER BOTHOF


DONKEY BOTHOF (S.B.)

1-29-93

DATE

MICROFILMED
OCT 11 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:49:52
06/28/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00029A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	N			N		HHT 8/6/92	DB	KFC 8-92
POINT OF DIV	Y N			Y 10 Ac.	1,5			
SOURCE	N			N				
PLACE OF USE	Y N			N	1,4			
DIV. AMOUNT CFS/VOLUME	Y N XS Flow			Y	6. Decme			
CONSUMPTIVE USE	- N			N				
PURPOSES	Y N			N				
PERIOD OF USE	Y N			N				
BASIS OF CLAIM	Y N			N				
REMARKS	Y N			N				

SCC
7-18-90

"VERIFIED BY" CODES

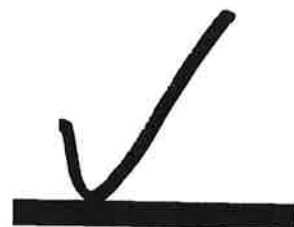
TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

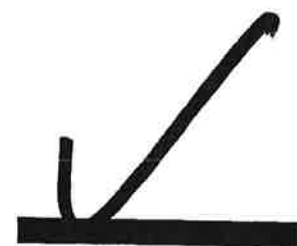
- XS Flow
- split

MICROFILMED
JAN 20 1993

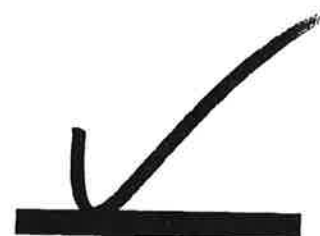
R PROOF



CVR



MAPS



PHOTOS



MISC



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JAN 20 199

SD-0604-2 Township: 07S			Range: 13E		Section: 24		Tract:		Lot:	
S	L		STATE		O	S	Max # Records	138		
E	O	Water	Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	-	-	-	-	-	-	-	-	-	-
-	SESW		A36-10220	BROWN, PATRICK D	A		J	02/12/1916		
-	SESW		A36-10220	BOYER, MYRTLE	O	35	J	02/12/1916	43	DOMEST
-				PETERSON, BRIAN	C				01	IRR
-				PETERSON, DANNY T	C					
-				PETERSON, EVELYN M	C					
-	SESW		36-00029B	BROWN, PATRICK D	A		D	02/12/1916	43	DOMEST
-				PETERSON, DANNY T	C				01	IRR
-				PETERSON, EVELYN M	C					
-				BOYER, MYRTLE	O					
-	SESW		36-00029B	PETERSON, BRIAN	C					
-				BROWN, PATRICK D	A	35	D	02/12/1916	43	DOMEST
-				PETERSON, DANNY T	C				01	IRR
-				PETERSON, EVELYN M	C					
-				BOYER, MYRTLE	O					
-				PETERSON, BRIAN	C					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Valerie Boyer Bothof
3966 N 1100 E
Butl, ID 83316

2. SUBJECT OF INQUIRY:

Change of Ownership on claim
36-00029A. Ms Bothof indicated she had been
conveyed the P/O in a divorce settlement & subsequently
had conveyed a portion of the real property
TO Steven Root.

She disputes that any of the water right was
conveyed with the real property.

3. RESPONSE TO INQUIRY:

I gave her a copy of the
notice of ownership change filed by Steven
Root & also gave her a change of ownership
form & an objection form & Administrative order.

4. IDWR STAFF AND DATE:

Print name and Initial

WATER RIGHT CLAIM (Nos.):

Loren O Holmes
Loren O. Holmes
36-00029A

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001111994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

05-Mar-1993

STEVEN VERNE ROOT
2507 DEWEY ST
BOISE ID 83702

RE: SPLITTING AND CHANGE OF OWNERSHIP FOR A PORTION OF
ADJUDICATION CLAIM A36-00029A

Dear Mr Root

Based upon the warranty deed you submitted and the outline of the place of use as drawn by the ASCS and submitted to the department along with the original claim, I have determined that there are 1.6 overlapping acres. As the warranty deed is silent as to any specific water right and/or irrigation use, I have split the above right on a 1.6 to 16 proportional rate. I am relying upon the statement in the warranty deed that states:

"TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever."

Apparently Valorie Boyer Bothof has objected to the transfer of any portion of the water right. I am sending Valorie a copy of this letter to inform her of the department's actions.

This recommendation is based upon the currently available information and further action to change this right as split will require filing an objection with the court for the Snake River Basin Adjudication.

If you have any further questions please contact this office and someone here can discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

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OCT 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

05-Mar-1993

VALORIE BOYER BOTHOF
3966 N 1100 E
BUHL ID 83316

RE: SPLITTING AND CHANGE OF OWNERSHIP FOR A PORTION OF
ADJUDICATION CLAIM A36-00029A

Dear Ms Bothof

Based upon the warranty deed submitted by Mr Root and the outline of the place of use as drawn by the ASCS and submitted to the department with the original claim, I have determined that there are 1.6 overlapping acres. As the warranty deed is silent as to any specific water right and/or irrigation use, I have split the above right on a 1.6 to 16 proportional rate. I am relying upon the statement in the warranty deed that states:

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If you have any further questions please contact this office and someone here can discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____

FORFEIT/ABANDON _____

ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED(X)
()
()NEEDS
REVIEW()
(X)
()

SPLIT?

XS - Flow

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00029

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.000

EXAMINER _____

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-00029	A36-00029A	1.000 ~~0.40~~	- 29A	0.40 32	36-00029	2.000
	B	.60	29B	.60		
	TOTAL CFS	1.000		.92		2.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
NFIELD
EXAMINER

Less

REMARKS:

Query? - What is the relation between Decree -0029 & 36-02025? Appears two parties have claim to these two water Rights... One claimed part of 29 but not the other part of 2025; 2nd claimant (Myrtle Bgr) claimed 2025 but not 29. Copy attached

AUTHENTICATION:

SIGNATURE: Steve [Signature]DATE: 11-23-90

NAME OF FIELD EXAMINER: _____

TITLE: _____

NOTES

TO: BOYER -29A

DATE: 9-11-90

May have portion of 36-02025 w/ Myrtle Boyer
Source: 3 springs via Jones Pipeline. Vice-Versa
8/6/92 - Lilexer superseded by decree - 36-00029 is decreed RT

FROM:

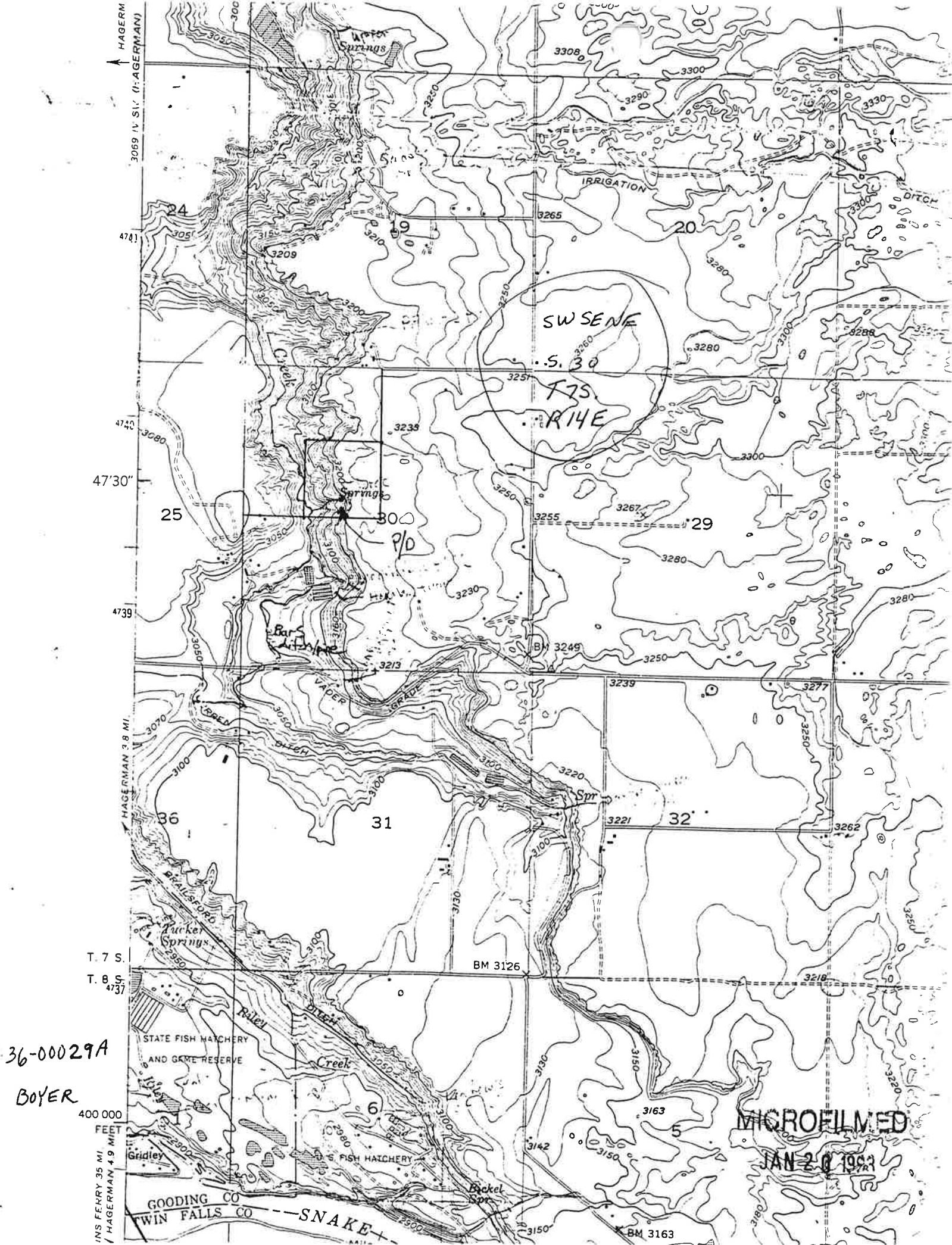
Shirley

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JAN 20 1993

36-00029A

BOYER



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JAN 20 1983

1951-02 NOV 2

PROFILMED

12'

B
6.2

C1+0
(6600)

T568

A
33.8

C
38.4

B
13.0

D
9.9

E
19.3

T510

-1+7 A
-55, 5.7

D
10.7

C312
(521C)

T629

F
34.5

E 3.2
D 3.1
C 3.4

J 18
K 20
I 5.7

Q 3.6
R 3.6

20.8

H
10.8

C278
(642C)

A
11

B
3.6

A
4.5

T510

C157
(6600)

C
13.0

A36-00029A

B
7.4

H
18.6

C366
(591C)

A
5.9

B
5.6

C
2.3

D
4.5

E
6.5

F
7.8

G
2.0

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
<u>IRRIGATION</u> <u>DOMESTIC</u>	4/1	10/31	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
	<u>3-15</u>	<u>11-15</u>		<u>0.40</u>	0.32	<u>64</u>		<u>48</u>
	<u>1-1</u>	<u>12-31</u>		<u>0.04</u>				
TOTAL FOR THIS RIGHT				<u>0.40</u>	0.32			
REVIEWED BY: _____	DATE: _____							

XS FLOW 3"/Ac. (~~0.0625~~)
CFS/Ac.

$$\text{WR proportional Rate} = \frac{2.0 \text{ cfs}}{80 \text{ Ac}} = 0.025 \text{ cfs/Ac.}$$

Sprinklers — .02 per acre — no excess required.

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 16 x 0.02 CFS/ACRE = 0.32 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(X) N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 48.0 AF/A

ACRES 16 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 48.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 16 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 64.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

*Sprinklers 1"/ac.
no conveyance loss*

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

FIELD
DATABASE EXAMINER
N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-00029A	DOMESTIC	BOYER , ALAN K.	FROM 01-01 TO 12-31	.040 CFS	
A36-00086B	DOMESTIC	PRICE , VARNELL H.	FROM 01-01 TO 12-31	.020 CFS	

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-00029A IRRIGATION	FROM 03-15 TO 11-15	1.000 CFS
A36-00029A DOMESTIC	FROM 01-01 TO 12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-00029 IRRIGATION	FROM TO	2.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>N</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>N</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☒) Explain in remarks, below.

REMARKS:

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A. ROOT WATER RIGHT NUMBERS: A36-00029A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	13E	25	NE	NW	BOYER , ALAN K.	A36-00029A /	- /		38.0		
					PRICE , VARNELL H.	A36-00086B /	36-00086B /				
					BOYER , LEE		36-00029 /				
					BOYER , LEE		36-02025 /25.0				
					PRICE , VARNELL H.		36-07861 / 4.0				
07S	13E	25	NE	NW	BOYER , ALAN K.	A36-00029A /16.0 -	- /		38.0		
					PRICE , VARNELL H.	A36-00086B /	36-00086B /				16
					BOYER , LEE		36-00029 /				
					BOYER , LEE		36-02025 /25.0				
					PRICE , VARNELL H.		36-07861 / 4.0				
TOTAL ACRES						A36-00029A	16.00		76.00		16

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

NAPP PHOTO CONFIRMS ACRES IRR.

RECOMMENDATIONS:

TOTAL ACRES:

16.0

REVIEWED BY:

scv

DATE:

7-18-90

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S.</u>	<u>14E</u>	<u>30</u>	<u>SE</u>	<u>SE</u>	<u>NW</u>	<u>—</u>	<u>47</u>

SOURCE: THREE SPRINGS

TRIB: BILLINGSLEY CREEK

REVIEWED BY: Sc

DATE: 7-18-90

*change
claim*

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-00029A	07S	14E	30		SE	NW		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-00046
36-02025
36-07071

SOURCE: THREE SPRINGS

TRIB: BILLINGSLEY CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-00029	07S	14E	30		SE	NW		GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-00046
36-02025
36-07071

NONE NONE

SOURCE: THREE SPRINGS

TRIB: BILLINGSLEY CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
~~N~~
~~A~~

REMARKS:

NEED 10 Acre 1/4 ✓ OK.

A. AJ CLAIM: # A36-00029A PRIORITY DATE: 02-17-1896 STAGE: D

B. WR RECORD: # 36-00029 PRIORITY DATE: 02-17-1896 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINER

N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
02-17-1896

REVIEWED BY

Scr

DATE

7-18-90

=====

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:49:52
06/28/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-00029A

LAST: BOYER
ADDRESS: RT. 1 BOX 223
CITY: HAGERMAN
PHONE NUMBER: 208-837-4734

FIRST: ALAN K.
STATE: ID ZIP: 83332

OWNER CODE: C

LAST: BOYER
ADDRESS: RT. 1 BOX 223
CITY: HAGERMAN
PHONE NUMBER: 208-837-4734

FIRST: VALORIE K.
STATE: ID ZIP: 83332

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: PORTION OF 36-0029 DECREE.

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