

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: A63-00276C  
Date Received: 1/19/1990  
Receipt No: X777777  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RONALD STUTHEIT 208-853-2438  
Address: 5800 GARY LANE  
BOISE ID 83703  
AND  
Name: SHARON STUTHEIT 208-853-2438  
Address: 5800 GARY LANE  
BOISE ID 83703

2. Date of Priority: MAY 1, 1889

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05N      | 05W   | 8       |        | NW     | NW     |     | CANYON |

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

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.200 |      | 45.00  |

7. Total Quantity Appropriated is:  
0.200 C.F.S. (and/or) 45.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

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10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 05N           | 05W   | 8       | NW     | SW  |     | IRR | 10.0  |
| Section Acres |       |         |        |     |     |     | 10.0  |
| Total Acres   |       |         |        |     |     |     | 10.0  |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
NONE

14. Remarks:

TRANS 227  
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION  
OF CLAIM NO. A63-00276 FEE PAID UNDER RECEIPT NO. W007786.  
RDH 6/9/95.  
CLAIM AMENDED PER TRANSFER NO. 4215 APPROVED JAN. 18, 1994.  
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE  
COPY OF APPROVED TRANSFER NO. 4215 IN FILE.  
THE POINT OF DIVERSION UNDER RIGHT NO. A63-00276C IS LOCATED  
IN A SLOUGH KNOWN LOCALLY AS KALLARNEY SLOUGH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.  
Decree Plaintiff

RIVERSIDE IRR. DIST.  
vs Decree Defendant

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 \_\_\_\_\_

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Water Right Number - 63-00276C

Prefix Translation: WATER RIGHT

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*

STUTHEIT

RONALD

1 - 5800 GARY LANE

2 -

3 -

City- BOISE

State- ID Zip- 83703

Phone - 208-000-0000

STUTHEIT

SHARON

1 - 5800 GARY LANE

2 -

3 -

City- BOISE

State- ID Zip- 83703

Phone - 208-000-0000

\*\*\* O - ORIGINAL OWNER \*\*\*

ODONNEL

NEIL

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

ODONNEL

PATRICK

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - +

05/01/1889

+ - - - Region - - - +

14 WESTERN

+ - - - Stage - - - +

D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +

BOISE RIVER

+ - - - - Tributary - - - - - +

SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

05N 05W 8 NW SW (27) CANYON

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

0.200

45.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

0.200

45.00

+ - - - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County

05N 05W 8 NW SW 10.0 01 IRRIGATION (27) CANYON

Total Acres: 10.0

+ - - Diversion Means -

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Water right number - 63-00276C

Prefix Translation: WATER RIGHT

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +  
The point of diversion under Right No. 63-00276C is located in a  
slough known locally as Kallarney slough.

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

+ - - - - - Conditions of Approval - - - - - +

005 - Use of water under this right is subject to control by the  
- watermaster of State Water District No. 63.

R32 - This right when combined with all other rights shall provide no  
- more than .02 cfs per acre nor more than 4.5 afa per acre for the  
- lands above.

T07 - The change authorized by this transfer shall be accomplished  
- within one (1) year of the date of this approval.

T09 - Approval of this transfer does not preclude the opportunity for  
- review of the validity of the water right(s) in the ongoing  
- Snake River Basin Adjudication.

T08 - Failure to comply with the conditions of this transfer is cause  
- for the director to issue an order to show cause why the approval  
- of the transfer should not be rescinded.

+ - - - Decree Plaintiff - - - +                      + - - - Decree Defendant - - - +                      + - Decree Date - +

FARMERS CO-OP DITCH CO.                                      RIVERSIDE IRR. DIST.                                      02/14/1927

+ - - - - - Comments - - - - - +

Date: 01/12/1994 User Id: SKAGGS Subject: TRANSFER NO. 4215

Transfer No. 4215 was filed to change the place of use and point of diversion of a portion of Right No. 63-00276. Before process-  
ing was complete a portion of the transferred property was sold. The approved version of this transfer will reflect the right  
split into 3 parts: Part A is the unchanged portion of the right, Part B is the portion of the right confirmed thru field exam in  
the name of Schroder, and Part C is the portion of the right confirmed thru field exam in the name of Stutheit.  
A field exam was conducted by the region office on 11-05-93 that found a portion of Right No. 63-00276 may have been lost through  
forfeiture. This question should be addressed by the SRBA (See file for exam information).

+ - - Audit Fields - 01/12/94 01/13/94

+ - - - - - Water Rights Dates and Flags Area - - - - - +

|                                |                              |                      |
|--------------------------------|------------------------------|----------------------|
| Proof Due Date - 00/00/0000    | Field Exam Made - 00/00/0000 | Field Exam Fee -     |
| Approved/Denied - 00/00/0000   | Protested Date - 00/00/0000  | Swan Falls -         |
| Proof Made Date - 00/00/0000   | Hearing Date - 00/00/0000    | Temporary Right - P  |
| Exam to S.O. Date - 00/00/0000 | Verified Date - 07/08/1985   | DLE/Carey Act -      |
| Order Show Cause - 00/00/0000  | Receipt Number - W016310     | Water District - 63  |
| Licensed Date - 00/00/0000     | Appl Received - 00/00/0000   | Transfer/Amended - G |
| Decree Date - 02/14/1927       | Name Connector - AND         | POU Ownership Flag - |
| Presumption Flag -             |                              |                      |

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276C

RECEIVED

JAN 24 1994

WATER RESOURCES  
WESTERN REGION

This is to certify that: RONALD STUTHEIT  
SHARON STUTHEIT  
5800 GARY LANE  
BOISE ID 83703

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.20 CFS              | 45.0 AF              |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| BOISE RIVER   | SNAKE RIVER         |

Priority: 05/01/1889

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 8, Township 05N, Range 05W  
CANYON County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N                              | 05W        | 8          | NWSW         | 10           |              | 10           |
| Total number of acres irrigated: |            |            |              |              |              | 10           |

CONDITIONS/REMARKS:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 63.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

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TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276C

CONDITIONS/REMARKS:

6. The point of diversion under Right No. 63-00276C is located in a slough known locally as Kallarney slough.
7. Right No. 63-00276B is also changed under Transfer No. 4215 and is represented on a separate transfer approval.

Dated this 18<sup>th</sup> day of January, 1994.

J. Shw Suptor  
Chief, Water Alloc. Bureau

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
 Waters Regional Office

Transfer No. 4215

**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

Name of applicant Gerald E. Schroeder Phone 722-5512  
 Post Office address PO Box 658 Parma, ID 83660  
28801 HEXON ROAD

**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes Split property per recent sale. Add diversion point for new owner. Clarify location of existing diversion point & place of use (to agree with SRBA claim). This will recognize an accomplished transfer of existing pld & some acres as well as allow a new & second pld to be used.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

- | Right Number                           | Priority        | Amount (cfs/ac-ft) | Nature of Use     | Period of Use               |
|----------------------------------------|-----------------|--------------------|-------------------|-----------------------------|
| <u>63-00276A</u><br><u>(Schroeder)</u> | <u>5-1-1889</u> | <u>.90 cfs</u>     | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| <u>63-00276B</u><br><u>(Stutheit)</u>  | <u>5-1-1889</u> | <u>.70 cfs</u>     | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
2. Total amount of water being transferred 1.60 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Boise River tributary to Snake River (63-00276A)  
unnamed slough " " Boise River (63-00276B)
4. Point(s) of Diversion: (SEE REMARKS @ SOURCE)

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
| -   | NE  | NW  | NW  | 17   | 5N   | 5W   | Canyon | Existing, 63-00276A      |
| -   | NE  | NW  | SW  | 8    | "    | "    | "      | NEW, 63-00276B           |

5. Lands irrigated or place of use: no change from actual use but slightly different than decree

| Twp.       | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|            |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 63-00276A: |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| 5N         | 5W   | 8    |      |      |      |      |      |      |      |      |      |      | 2    | 40   |      |      |      |      | 42     |
|            |      | 17   |      |      |      |      |      | 3    |      |      |      |      |      |      |      |      |      |      | 3      |
| 63-00276B: |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| 5N         | 5W   | 8    |      |      |      |      |      |      |      |      |      |      | 35   |      |      |      |      |      | 35     |

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both rights → Total acres 80

**PART 1**

**6. General Information:**

a. Description of diversion system Existing 63-00276A : pump, pipeline, ditch  
proposed 63-00276B : pump with furrow irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
NO change actually occurring - same land irrigated  
before & after transfer.

d. Remarks:  
Place of use change, comparing decreed pln in W $\frac{1}{2}$ SW $\frac{1}{4}$  5.8 to  
actual pln as shown in SRBA claim A63-00276, is accomplished  
transfer prior to 11/1987. New pld on slough which is directly tributary  
to Boise River (see Attach. B) & thus immediately integrated in River system

and  $\rightarrow$   
Existing pld  
5.17 NW $\frac{1}{4}$   
instead of  
NW $\frac{1}{4}$ .

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### APPLICATION FOR TRANSFER OF WATER RIGHT

#### PART 2

(Attach one copy for each right)

#### A. DESCRIPTION OF RIGHT AS RECORDED → in Decree & previous transfer no. 227

##### 1. Right evidenced by:

- a. Decree No. 63-00276 Decreed to Neil & Patricia O'Donnell (now g. Schroeder)  
in case of Farmers Coop Ditch Co. vs. Riverside Irrig. Dist.  
dated 5-11-1925 in 7th Jud. Dist. Court county of Canyon
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. 227 which produced this right. (pld change only in T. 227)

##### 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☒ Warranty Deed

☐ Other \_\_\_\_\_

3. Source of water Bosie River tributary to Snake River

4. Date or priority 5-1-1889

##### 5. Water is used for the following purpose:

amount 1.60 cfs for Irrigation purposes from not specified in decree or  
(cfs/ac-ft) \_\_\_\_\_ purposes from \_\_\_\_\_ to previous transfer  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_

6. Total amount of water under right 1.60 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

##### 7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
| —   | —   | NE  | NW  | 17   | 5N   | 5W   | Canyon |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

##### 8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals                                       |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------------------------------------------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |                                              |
| 5N   | 5W   | 8    |        |        |        |        |        |        |        |        | X      | X      |        |        |        |        |        |        | not specified in decree or previous transfer |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |

(decree at .02 cfs/acre implies 80 acres)

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Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above NONE

no

**If yes, describe**

for stutheit

(If the entire right is to be changed by the applicant, omit part B and C.)

.70 cfs

## Irrigation

3/15

11/15

**2. Point(s) of Diversion:**

existing pld has been here  
before 11/1987 instead of 12  
NGNW ASR T.227

3. Lands irrigated or place of use:

35

Total acres 3.5

(omit if there is no change) for Schroeder

90 cts

## Irrigation

3/15

11/15

**2. Point(s) of Diversion:**

Same as B2 above

3. Lands irrigated or place of use:

|   |    |
|---|----|
| 2 | 40 |
|---|----|

42

17

3

3

NOTE - BIC above s. in splitting of right via  
accomplished transfer as recorded by A63-00276.

Total acres 45

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED** - *in Snake River Basin Adjudication Claim, reflects accomplished change in place prior to SRBA commencement on 11/1987.*

## 1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to to SRBA commencement on 11/1987.  
 in case of \_\_\_\_\_ vs. \_\_\_\_\_  
 dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_ *and in point of diversion*
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. A63-00276 on file with the Idaho Department of Water Resources.
- d. Transfer No. 227 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:☐ Tax Notice☐ Warranty Deed☐ Other \_\_\_\_\_3. Source of water Basin Run tributary to S Snake Run4. Date or priority 5-1-1889

## 5. Water is used for the following purpose:

amount 1.60 cfs for Irrigation purposes from 3/15 to 11/15  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

6. Total amount of water under right 1.60 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

## 7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
| -   | NE  | NW  | NW  | 17   | SW   | SW   | Canyon |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| SW   | SW   | 8    |        |        |        |        |        |        |        |        |        | 37     | 40     |        |        |        |        |        | 77     |
|      |      | 17   |        |        |        |        |        | 3      |        |        |        |        |        |        |        |        |        |        | 3      |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres OCT 20 19969. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

no If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

*Same as pg. 4 for B & C on pg 6*  
(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

*See Attachment B*

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**PART 3****B. CHANGES IN NATURE OF USE**N/A

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to            |
|   |                   |                       |                 | to            |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

X Gerald E. Schurder  
(Signature of Applicant)

Subscribed and sworn to before me this 3<sup>rd</sup> day of August, 19 93.

Anne Enok  
(Notary Public)

My commission expires 12-3-98

**FOR DEPARTMENT USE ONLY**

Transfer contains 8 pages and 5 attachments  
Received by JFW Date 5/27/93 \* Protest filed by \_\_\_\_\_  
Prelim. check by SA Fee \$50  
Received by JFW Date 5/27/93 \* W0/6310  
Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_  
Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial  
\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

\* Original Rec'd. 5/27/93 by JFW. This is  
Revised version per correspondence &  
office visit. - 8/27/93

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: A63-00276C  
Date Received: 1/19/1990  
Receipt No: X777777  
Received By: \_\_\_\_\_

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

1. Name: RONALD R STUTHEIT 208-853-2438  
Address: 5800 GARY LANE  
BOISE ID 83703  
AND  
Name: SHARON M STUTHEIT 208-853-2438  
Address: 5800 GARY LANE  
BOISE ID 83703

2. Date of Priority: MAY 1, 1889

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05N      | 05W   | 17      | NE     | NW     | NW     |     | CANYON |

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

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.700 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

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10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 05N           | 05W   | 8       | NW     | SW  |     | IRR | 35.0  |
| Section Acres |       |         |        |     |     |     | 35.0  |
| Total Acres   |       |         |        |     |     |     | 35.0  |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
NONE

14. Remarks:

TRANS 227  
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION  
OF CLAIM NO. A63-00276 FEE PAID UNDER RECEIPT NO. W007786.  
RDH 6/9/95.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

FARMERS CO-OP DITCH CO.  
Decree Plaintiff

RIVERSIDE IRR. DIST.  
vs Decree Defendant

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 \_\_\_\_\_

Water Right Number - A63-00276 C

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

X777777

\*\*\* C - CURRENT OWNER \*\*\*

~~SCHRODER~~

STUTHEIT

GERALD E

RONALD R  
SHARON M

1 - PO BOX 658

2 -

3 -

City- PARMA BOISE

Phone - 208-722-5512

1 - PO BOX 658

2 -

3 -

City- PARMA

Phone - 208-722-5512

5800 GARY LANE

State- ID Zip- 83660

83703

853-2438

~~SCHRODER~~

~~VIRGINIA K~~

\*\*\* O - ORIGINAL OWNER \*\*\*

ODONNEL

NEIL

1 -

2 -

3 -

City- 0000

Phone - 208-000-0000

State- ID Zip- 00000

ODONNEL

PATRICK

1 -

2 -

3 -

City- 00000

Phone - 208-000-0000

State- ID Zip- 00000

CRAWFORD

ARNOLD C

1 -

2 -

3 -

City- PARMA

Phone - 208-000-0000

State- ID Zip- 83660

+ - - Priority Date - - +  
05/01/1889

+ - - Region - - - +  
14 WESTERN

+ - - Stage - - - +  
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +  
BOISE RIVER

+ - - Tributary - - - - - +  
SNAKE RIVER

+ - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County

05N 05W 17 NE NW NW (27) CANYON

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

01 - IRRIGATION

03/15 11/15

1.600 0.7 cfs

+ - Total Div. Rate - + + - Total Div. Volume - +

1.600 0.7 cfs

+ - Total Consumptive Use - + + - KW Usage - +  
0.0

$$(35)(0.02) = 0.7 \text{ cfs}$$

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OCT 02 1998

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT  
(REGIONAL)

Water right number - A63-00276

Prefix Translation: ADJUDICATION CLAIM

| Tw  | Rng | Sec | Tract | Lot | Acres | Place of Use Code | Description | County      |
|-----|-----|-----|-------|-----|-------|-------------------|-------------|-------------|
| 05N | 05W | 8   | NW SW |     | 37.0  | 01                | IRRIGATION  | (27) CANYON |
| 05N | 05W | 8   | SW SW |     | 40.0  | 01                | IRRIGATION  | (27) CANYON |
| 05N | 05W | 17  | NW NW |     | 3.0   | 01                | IRRIGATION  | (27) CANYON |

Total Acres: ~~80.0~~ 35

+ - - Diversion Means - PUMP, PIPELINE, DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

| TRANS. 227. | Remarks                                                                                                                      |
|-------------|------------------------------------------------------------------------------------------------------------------------------|
|             | This claim is a result of a change in ownership for a portion of claim no. A63-00276 FEE PAID UNDER RECEIPT NO. W007786. Rdh |

+ - - Old Water Right Numbers Found A63-00276

+ - - Conditions of Approval - - - - -  
No Conditions of Approval found.

|                                                             |                                                          |                                   |
|-------------------------------------------------------------|----------------------------------------------------------|-----------------------------------|
| + - - - Decree Plaintiff - - - +<br>FARMERS CO-OP DITCH CO. | + - - - Decree Defendant - - - +<br>RIVERSIDE IRR. DIST. | + - Decree Date - +<br>00/00/0000 |
|-------------------------------------------------------------|----------------------------------------------------------|-----------------------------------|

+ - - - - Comments - - - - -  
No Comments Found

+ - - Audit Fields - - +  
06/08/95 RHOWERTO

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

|                                   |                                    |                             |
|-----------------------------------|------------------------------------|-----------------------------|
| Court Report Filing - 00/00/0000  | Field Inspection Made - 00/00/0000 | Civil Case Number - 39576   |
| Objection Filed Date - 00/00/0000 | Field Inspection Flag -            | Old Case Number -           |
| Response Filed Date - 00/00/0000  | Verified Date - 00/00/0000         | Old Judicial District -     |
| Claim Received Date - 01/19/1990  | Last Amended Date - 00/00/0000     | Temporary Right - P         |
|                                   | Receipt Number - W007786           | Water District - 63         |
|                                   | POU Ownership Flag - Y             | Federal/State Indicator - S |
|                                   | Name Connector -                   | Presumption Flag -          |
|                                   |                                    | Notice of Error Flag -      |

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OCT 02 1996

# MEMO TO FILE

TO: A63-00276A,B & C  
FR: RON HOWERTON  
DT: June 7, 1995  
RE: NUMBER CHANGE A63-00276B to A63-00276A

1. Claim A63-00276B was given a "B" split suffix prior to an ownership change received August 17, 1993 to Crawford.
2. A transfer was filed (# 4215) by Schroder on 63-00276 and approved January 18, 1994, splitting the water right into A, B & C by allocations.
3. The water allocation staff assigned new split suffixes for this right without regard to adjudication's split "B".
4. This number change is to match up the assigned adjudication split suffix "B" to the water allocation assigned suffix "A".
5. The Crawford Claim (now suffix "A") remains unchanged by the transfer because allocations appeared to view this "A" part as getting the remainder not covered by the B & C suffixes.
6. Transfer 4215 amends the ownership change for the "B" & "C" suffixes. But not for Crawford's Claim. \*\*\* However, we should note that the field exam that determined the acre totals, showed that Crawford's acres were 4, not the 5 as claimed.
7. Additional review will later be needed by the adjudication staff to determine the recommendation for the "C" claim and double check the "A" & "B" splits.
8. Also, note that the Crawford claim names the source as Kallarney Slough and the allocation transfer field exam clarified that this was a local name and the correct source is Boise River tributary to the Snake River.\*\*\*

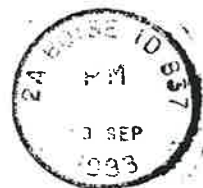
\*\*\* See the copy of the field exam information included in the Crawford's file.

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OCT 02 1996

GERALD & VIRGINIA SCHRODER  
28801 HEXON RD.  
PARMA, IDAHO 83660

↑  
NEW  
ADDRESS

ED1A370A 09-13-93 2232



IDAHO DEPARTMENT OF WATER RESOURCES  
Western Region  
2735 Airport Way  
Boise, ID 83705-5082

ATTENTION: Steve Lester

83705-5082 06



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OCT 02 1996

RECEIVED

AUG 17 1993

NEW PROPERTY OWNER  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type  
(see instructions on back of page)Department of Water Resources  
Western Regional Office

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 5W  
Section 8, — 1/4 of NW 1/4 of SW 1/4, Govt. Lot —, BM  
Lot —, Block, —, Subdivision/Townsite —

If you have additional legal descriptions, please attach separate sheet.

Small SWSW 5.8, NWNW 5.17, all in T5N, R5W

[ ] 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)

SEP 14 1993

[x] Water Right Number(s)  
Assigned by IDWR: A63-00276Department of Water Resources  
Western Regional Office[x] Name and Address of Former  
Owner/Claimant(s)(Seller):Gerald E. & Virginia K. Schroeder  
PO Box 658  
Parma ID.[ ] New Owner/Claimant  
(Purchaser):RONALD R. STUTHEIT & SHARON M. STUTHEIT

[ ] New Mailing Address:

5400 GARY LANE  
BOISE, IDAHO 83703

[ ] New Telephone Number:

(208) 853 - 2438[x] 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:39 acres in NWSW 5.8 for new owner; these  
acres will have separate diversion point per transfer  
appl. being filed. New owner will 20/80 of right OR .24 cfs.  
35/ .70\* [ ] 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.)[ ] Signature of New  
Owner/Claimant(s)SEE SIGNATURE ON 17 AUG 93  
LETTER TO STEVE LESTER  
ATTACHED...

Date

Date

[ ] Signature of Former  
Owner/Claimant(s):Gerald E. Schroeder  
Virginia K. Schroeder

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:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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OCT 02 1996Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner\* NEED proof of ownership of all 80 acres in A63-00276 for  
use in transfer application. ALSO NEED approval letter by new  
owner. -82 7/13/93

## INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

CANYON COUNTY ASSESSOR  
1115 ALBANY ST-RM323  
CALDWELL, ID 83605

IMPORTANT NOTICE - PLEASE READ

PRESORTED  
FIRST CLASS MAIL  
U. S. POSTAGE PAID  
CALDWELL, ID 83605-3542  
PERMIT NO. 4

PARCEL NO. 3R38952-000- -0  
UNIFORM 05N05W173000  
TAX CODE 39-00 05-20-93

LOTS / ACRES

MARKET VALUE

1.69  
1.00

75  
9,000  
9,200

1993

TAXPAYERS  
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation  
listed on this statement

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE

Phone 454-7431  
CATEGORY DESCRIPTION  
DRY GRAZING  
RUR RESIDENT TRACT  
MP ON RUR TRACT

TOTAL FULL CASH VALUE  
AX 2 IN NWNW

18,275 JUNE 18, 1993

EC 17-5N-5W NW

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS  
REGULAR ROLL

Mail To:  
SCHRODER, GERALD E  
& SCHRODER, VIRGINIA K-H/W

28801 HEXON RD  
PARMA

ID 83660

PROPERTY ADDRESS  
8801 HEXON RD, PA

Department of Water Resources  
Eastern Regional Office

IMPORTANT NOTICE - PLEASE READ

PRESORTED  
FIRST CLASS MAIL  
U. S. POSTAGE PAID  
CALDWELL, ID 83605-3542  
PERMIT NO. 4

PARCEL NO. 3R38740-010- -0  
UNIFORM 05N05W086000  
TAX CODE 39-00 05-20-93

LOTS / ACRES

MARKET VALUE

6.44  
14.96  
14.40  
4.20

4,400  
4,275  
425

1993

TAXPAYERS  
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation  
listed on this statement

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE

TOTAL FULL CASH VALUE

9,100 JUNE 18, 1993

WSW

See the reverse side for further references  
KEEP THIS COPY FOR YOUR RECORDS  
REGULAR ROLL

Mail To:  
SCHRODER, GERALD E  
& SCHRODER, VIRGINIA K-H/W

28801 HEXON RD  
PARMA

ID 83660

PROPERTY ADDRESS  
HEXON RD, PA

Attached warranty deed conveys  
acre 12 NWSW 5.8 to  
Stutheits.

MICROFILMED  
OCT 02 1996

Attachment A  
originals filed with transfer app for 63-00276  
rec'd. 8/17/93 - SL

PCD7584

## WARRANTY DEED

For value received, GERALD E. SCHRODER and VIRGINIA K. SCHRODER, husband and wife, of 28801 Hexon Road, Parma, Idaho 83660, Grantors, do hereby convey, grant, bargain, and sell unto RONALD R. STUTHEIT and SHARON M. STUTHEIT, husband and wife, as joint tenants with right of survivorship, of 5800 Gary Lane, Boise, Idaho 83703, Grantees, the following described premises in Canyon County, Idaho, to wit:

The NW $\frac{1}{4}$ SW $\frac{1}{4}$  in Section 8, T 5 N, R 5 W, BM, Canyon County, Idaho;

EXCEPTING THEREFROM: BEGINNING At the SE corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 8, T 5 N, R 5 W, BM, Canyon County, Idaho; thence North 760 feet along the East boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence West along a line parallel to the North boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  a distance of 126 feet; thence Southwesterly a distance of 337 feet to a point that is 325 feet West of the East boundary line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$  thence South a distance of 486 feet to a point on the South boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$  that is 325 feet West of the East boundary line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence East a distance of 325 feet along the South boundary to the INITIAL POINT OF BEGINNING.

TOGETHER With all water, water rights, ditches and rights of way for ditches appurtenant thereto, including .7 cfs, decreed water rights from Boise River, #114-A

TOGETHER With all tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

To have and to hold said premises, with their appurtenances unto the said Grantees, Grantees' heirs and assigns forever. Grantors do hereby covenant to and with Grantees that Grantors are the owners in fee simple of said premises; that said premises are free from all encumbrances and that Grantors will warrant and defend the same from all lawful claims whatsoever, subject only to the following encumbrances:

1. Restrictions imposed by law, ordinance or regulation by any governmental entity, department or agency;
2. Restrictions contained in any covenants of record affecting the premises;

4. Taxes and assessments of all taxes units not yet due and payable;
5. Reservations in patents or state grants or in acts authorizing the issuance thereof;
6. All repayment contracts between irrigation districts within which said premises are situated and any government or agency; and
7. The bonded debt of all taxing units within which said premises are located.

DATED This 7<sup>th</sup> day of June, 1993.

Gerald E. Schroder  
GRANTOR

Virginia K. Schroder  
GRANTOR

STATE OF IDAHO           )  
                                  : ss.  
County of Canyon        )

On the 7<sup>th</sup> day of June, 1993, before me,  
Kimberly A. Compton, a notary public for said state, personally  
appeared before me, GERALD E. SCHRODER and VIRGINIA K. SCHRODER, KAC  
known or identified to me to be the persons whose names are  
subscribed to the within instrument, who acknowledged to me that  
they executed the same.

Kimberly A. Compton  
Notary Public for Idaho  
Residing at: Caldwell  
My commission expires: 1-27-99

MICROFILMED  
OCT 02 1998

RECEIVED

AUG 18 1993

Department of Water Resources  
Western Regional Office

Ronald and Sharon Stutheit  
5800 Gary Lane  
Boise, Idaho 83703

17 August 1993

Mr. Steve Lester, Water Rights Supervisor  
State of Idaho, Department of Water Resources  
Western Region  
2735 Airport Way  
Boise, Idaho 83705-5082

Re: Application for Transfer of Right No. 63-00276

Dear Mr. Lester:

This letter is to inform you that we approve of this requested transfer, as requested in your item number 3, letter of July 14, 1993, addressed to Mr. Gerald E. Schroder of Parma, Idaho.

Should you require any further input from us, please contact us at the above address, phone number 208-853-2438.

Thank you.

Sincerely,

*Ronald Stutheit Sharon Stutheit*

Ronald and Sharon Stutheit

Copy to: Gerald and Virginia Schroder

MICROFILMED  
OCT 02 1996

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

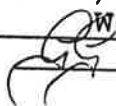
IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-00276

Date Received: 1/19/1990

Receipt No: W007786

Received By: 

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: GERALD E. SCHRODER  
Address: PO BOX 658  
PARMA, ID 83660 208-722-5512

Name: VIRGINIA K. SCHRODER  
Address: PO BOX 658  
PARMA, ID 83660 208-722-5512

2. Date of Priority: MAY 01, 1889

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05N      | 05W   | 17      | NE     | NW     | NW     |     | CANYON |

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

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.600  |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A63-00276

Page 1

Date: 01/19/90

MICROFILMED  
OCT 02 1995

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot           | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 05N      | 05W   | 8       | NW     | SW  |               | IRR | 37.0  |
|          |       |         | SW     | SW  |               | IRR | 40.0  |
|          |       |         |        |     | Section Acres |     | 77.0  |
|          |       | 17      | NW     | NW  |               | IRR | 3.0   |
|          |       |         |        |     | Section Acres |     | 3.0   |
|          |       |         |        |     | Total Acres   |     | 80.0  |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
TRANS. 227.

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

FARMERS CO-OP DITCH CO.  
Decree Plaintiff

vs

RIVERSIDE IRR. DIST.  
Decree Defendant

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): Gerald E. Schurder Date: Jan. 19, 1990  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of ADA ) SS.

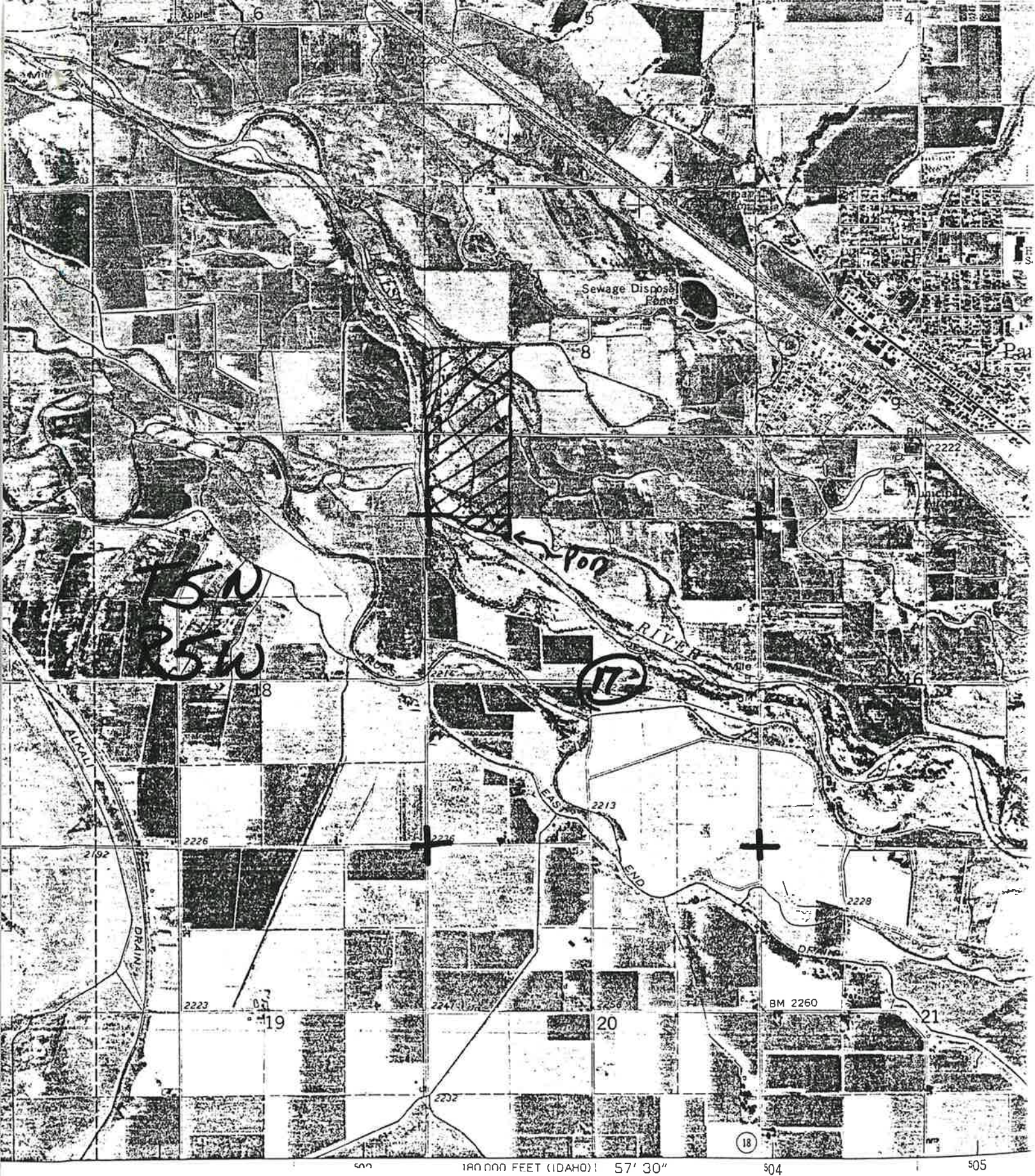
Subscribed and sworn (or affirmed) before me this 19<sup>th</sup> day

of Jan 19 90

Seal

Marvin Gene Gibson  
Notary Public

Residing at Boise, Idaho  
My Commission Expires 9-2-1994



MICROFILMED  
OCT 02 1996

# Receipt Details for ID W007786

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

**General Information:**

| Date Received        | Date Deposited | Region              | Total Amount | Payment Type |
|----------------------|----------------|---------------------|--------------|--------------|
| 1/19/1990 4:12:36 PM | 1/19/1990      | Western             | \$130.00     | Check        |
| Payer                |                | SCHRODER, GERALD E. |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 468                  |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

Comment ADJUDICATION FEE

**Fee Detail:**

| Amount   | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------|--------|------|-------------|------------|--------|
| \$130.00 | 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           | 276             |              | \$130.00 | Claim |

Print Report

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

RIGHT NUMBER: 63-276C

NAME AND ADDRESS: SHARON M STUTHEIT  
28900 HEXON RD  
PARMA ID 83660-6604

RONALD R STUTHEIT  
28900 HEXON RD  
PARMA ID 83660-6604

~~5800 GARY LN~~  
~~BOISE ID 83703-2411~~

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.200 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION:

T05N R05W S8 NWNW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 0.200 CFS       |

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S08 NWSW 10.00

10 ACRES TOTAL

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

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

The right holder shall accomplish the change authorized by Transfer 4215 within one (1) year of the date of the approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Failure of the right holder to comply with the conditions of Transfer 4215 is cause for the Director to rescind approval of the transfer.

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

This right is also designated as Right No. 114A in the Boise River Stewart Decree and Boise River Water Distribution Report.

The point of diversion under this right is located in a slough known locally as Kallarney slough.

**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

Case No. 39576

**Water Rights: 63-276C**

**NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING**

IDWR has completed the following administrative proceeding:

☒ Address change

☐ Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion ☐ Place of use

☐ Period of use ☐ Nature of use

☐ Split of water right ☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 6, 2007

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on April 6, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

### 1. Original to:

|                                |                                     |                |
|--------------------------------|-------------------------------------|----------------|
| Clerk of the District Court    | <input type="checkbox"/>            | overnight mail |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> | regular mail   |
| P.O. Box 2707                  | <input type="checkbox"/>            | hand-delivered |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/>            | facsimile      |

### 2. Copies to:

|                                 |                                     |                |
|---------------------------------|-------------------------------------|----------------|
| Clive Strong                    | <input type="checkbox"/>            | overnight mail |
| Off ice of the Attorney General | <input checked="" type="checkbox"/> | regular mail   |
| P.O. Box 44449                  | <input type="checkbox"/>            | hand-delivered |
| Boise, ID 83711-4449            | <input type="checkbox"/>            | facsimile      |

|                                    |                                     |                |
|------------------------------------|-------------------------------------|----------------|
| United States Dept of Justice      | <input type="checkbox"/>            | overnight mail |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> | regular mail   |
| 550 West Fort Street MSC 033       | <input type="checkbox"/>            | hand-delivered |
| Boise ID 83724                     | <input type="checkbox"/>            | facsimile      |

### 3. Copies to all parties to the subcase:

|                     |                                     |                |
|---------------------|-------------------------------------|----------------|
| Sharon Stutheit     | <input type="checkbox"/>            | overnight mail |
| Ronald Stutheit     | <input checked="" type="checkbox"/> | regular mail   |
| 28900 Hexon Rd.     | <input type="checkbox"/>            | hand-delivered |
| Parma ID 83660-6604 | <input type="checkbox"/>            | facsimile      |

|                          |                |
|--------------------------|----------------|
| <input type="checkbox"/> | overnight mail |
| <input type="checkbox"/> | regular mail   |
| <input type="checkbox"/> | hand-delivered |
| <input type="checkbox"/> | facsimile      |



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

WESTERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

April 6, 2007

RONALD STUTHEIT  
SHARON STUTHEIT  
28900 HEXON RD  
PARMA ID 83660-6604

Re: Water Right No. 63-276C

Dear Mr. & Mrs. Stutheit:

Enclosed is a copy of the above referenced water right which reflects your change of address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

Lori Harris  
Technical Records Specialist 2  
Adjudication Section  
Western Region Office

LH:l  
Enclosures

SNAKE RIVER BASIN ADJUDICATION  
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Water Right Number(s): 63-00276C

Previous Mailing Address: 5800 GARY LANE  
BOISE IDAHO

New Mailing Address: 28900 HEXON RD  
PARMA, ID 83660-6604

Telephone Number: (208) 722-8012

Signature of all Claimant(s): Sharon M Stutheit Ronald R Stutheit  
Please print your name below your signature.  
SHARON M STUTHEIT  
RONALD R STUTHEIT

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau  
Idaho Dept. of Water Resources  
1910 Northwest Blvd., Ste. 210  
Coeur d'Alene, ID 83814-2615  
Ph. 208/769-1450 or  
FAX 208/769-1454

Adjudication Bureau  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Ph. 208/334-2190 or  
FAX 208/334-2348

Adjudication Bureau  
Idaho Dept. of Water Resources  
1341 Fillmore St., Ste. 200  
Twin Falls, ID 83301-3380  
Ph. 208/525-7161 or  
FAX 208/736-3037

Adjudication Bureau  
Idaho Dept. of Water Resources  
900 N. Skyline, Ste. A  
Idaho Falls, ID 83402-3653  
Ph. 208/736-3033 or  
FAX 208/525-7177

Adjudication Bureau  
Idaho Dept. Of Water Resources  
322 E. Front St.  
P.O. Box 83720  
Boise, Id 83720-0098  
Ph 208/287-4800  
FAX 208/287-6701

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGIONAL OFFICE  
2735 AIRPORT WAY  
BOISE, IDAHO 83705

ADDRESS SERVICE  
REQUESTED

FIRST CLASS



UNITED STATES  
\$ 00.8  
02 1A  
0004310839 OCT 06 2  
MAILED FROM ZIP CODE 83

Return to  
Sender  
UNDELIVERABLE  
ADDRESS  
NO FORWARDING  
ORDER ON FILE

UTR

RONALD R STUTHEIT  
SHARON M STUTHEIT  
5800 GARY LN  
BOISE ID 83703 2411

RECEIVED

OCT 16 2006

WATER RESOURCES  
WESTERN REGION

63-276c

NOT AT THIS  
ADDRESS



09/21/2006

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

RIGHT NUMBER: 63-276C

NAME AND ADDRESS: SHARON M STUTHEIT  
5800 GARY LN  
BOISE ID 83703-2411

RONALD R STUTHEIT  
5800 GARY LN  
BOISE ID 83703-2411

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.200 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION:

T05N R05W S8 NWNW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 03/15 11/15          | 0.200 CFS       |
| Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576. |                      |                 |

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S08 NWSW 10.00

10 ACRES TOTAL

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

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

The right holder shall accomplish the change authorized by Transfer 4215 within one (1) year of the date of the approval.

09/21/2006

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

---

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Failure of the right holder to comply with the conditions of Transfer 4215 is cause for the Director to rescind approval of the transfer.

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

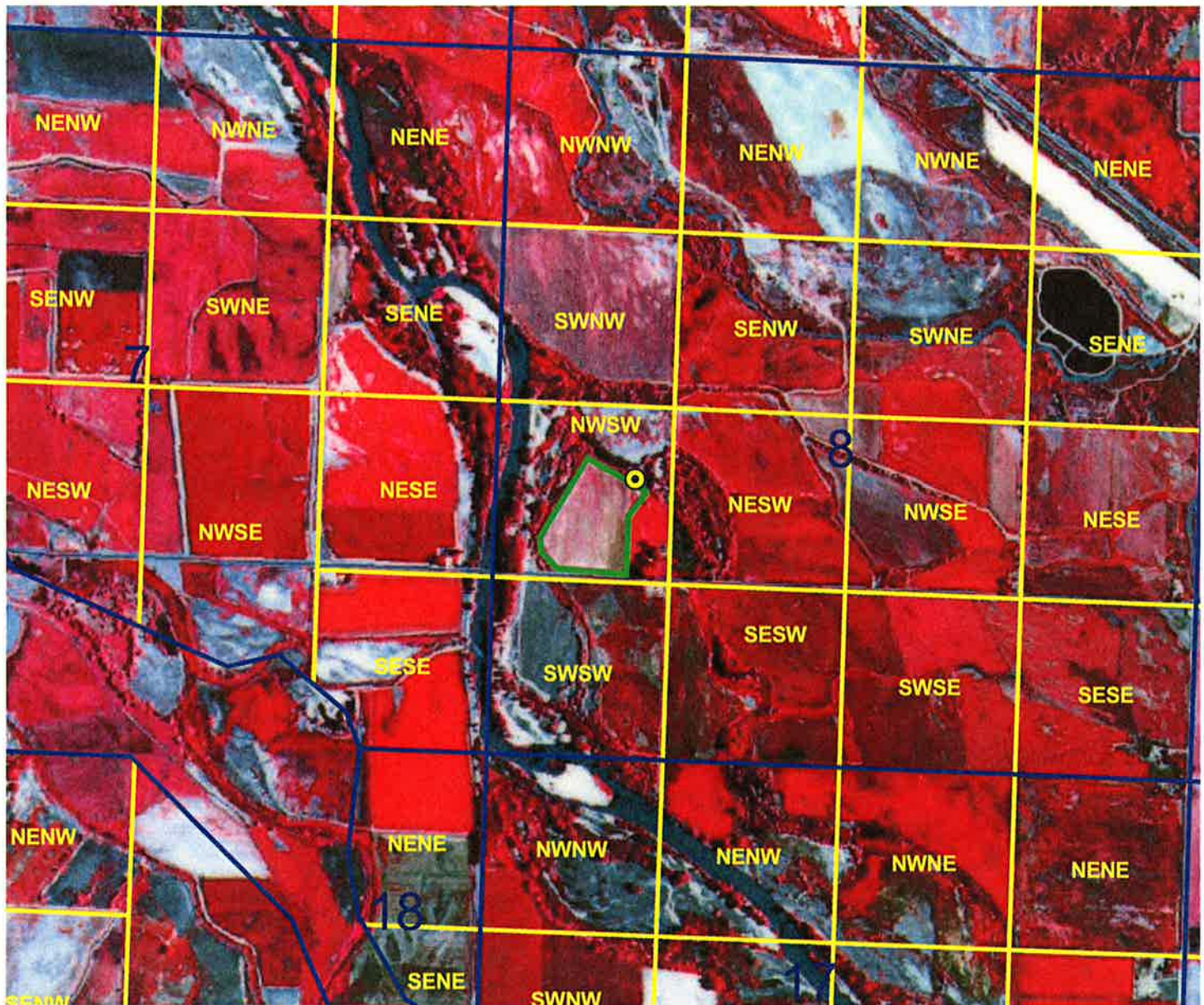
This right is also designated as Right No. 114A in the Boise River Stewart Decree and Boise River Water Distribution Report.

The point of diversion under this right is located in a slough known locally as Kallarney slough.



State of Idaho  
Idaho Department of Water Resources  
Western Region

T5N R5W SECTION 8  
Water Right: 63-276C



1320 0 1320 2640 3960 Feet

TOTAL IRRIGATED ACRES = 10



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

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

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-276C V1

WATER RIGHT NUMBER: 63-276C V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | SHARON M STUTHEIT<br>5800 GARY LN<br>BOISE, ID 83703-2411<br>(208)853-2438 |
| Original Owner    | PATRICK O DONNEL<br><br>PARMA, ID                                          |
| Original Owner    | NEIL O DONNEL<br><br>PARMA, ID                                             |
| Original Owner    | VIRGINIA K SCHRODER<br>PO BOX 658<br>PARMA, ID 83660<br>(208)722-5512      |
| Original Owner    | ARNOLD C CRAWFORTH<br><br>PARMA, ID 83660                                  |
| Current Owner     | RONALD R STUTHEIT<br>5800 GARY LN<br>BOISE, ID 83703-2411<br>(208)853-2438 |
| Original Owner    | GERALD E SCHRODER<br>PO BOX 658<br>PARMA, ID 83660<br>(208)722-5512        |

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| BOISE RIVER   | SNAKE RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15          | 0.200 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.200 CFS             |                      |

Location of Point(s) of Diversion

|               |            |         |          |               |
|---------------|------------|---------|----------|---------------|
| BOISE RIVER   | NW1/4NW1/4 | Sec. 8, | Twp 05N, | Rge 05W, B.M. |
| CANYON County |            |         |          |               |

Place of UseIRRIGATION Within CANYON County

T05N R05W S08    NWSW    10.0

Total Acres: 10

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-276C V1

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of Transfer 4215 is cause for the Director to rescind approval of the transfer.
2. 005 Use of water under this right is subject to control by the watermaster of State Water District No. 63, Boise River.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
5. 183 Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.
6. T07 The right holder shall accomplish the change authorized by Transfer 4215 within one (1) year of the date of the approval.
7. S49 Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.
8. This right is also designated as Right No. 114A in the Boise River Stewart Decree and Boise River Water Distribution Report.
9. B01 The point of diversion under this right is located in a slough known locally as Kallarney slough.

Remarks:Comments:

1. vmusic 9/21/2006 POD

Comment: DOWNSTREAM FROM STAR BRIDGE. TRANSFER 4215 FORMALIZED AN ACC TRANSFER IN POD FROM THE KALLARNEY SLOUGH WHICH IS DIRECTLY TRIBUTARY TO THE BOISE RIVER.

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Summary        |                           |                 | 05/15/2006                | scurtis         | Active        |
| Contacts       | 9/21/2006 11:16:03 AM     | vmusic          |                           |                 | Active        |
| Priority Date  | 9/21/2006 11:16:20 AM     | vmusic          |                           |                 | Active        |
| POD            | 9/21/2006 11:16:56 AM     | vmusic          |                           |                 | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-276C V1

|          |                       |        |        |
|----------|-----------------------|--------|--------|
| Source   | 9/21/2006 11:19:21 AM | vmusic | Active |
| POU      | 9/21/2006 11:22:58 AM | vmusic | Active |
| Use      | 9/21/2006 11:24:29 AM | vmusic | Active |
| Season   | 9/21/2006 11:24:50 AM | vmusic | Active |
| Quantity | 9/21/2006 11:25:32 AM | vmusic | Active |
| Summary  | 09/21/2006            | vmusic | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 9/21/2006 11:23:18 AM  | vmusic          | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Summary        | 9/21/2006 11:33:04 AM  | vmusic          | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
| Contacts       | 9/21/2006 11:16:03 AM  | vmusic          | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: DESKTOP REVIEW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| POD            | 9/21/2006 11:16:57 AM  | vmusic          | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(No) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                          |
| POD            | 9/21/2006 11:17:26 AM  | vmusic          | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| POU            | 9/21/2006 11:22:58 AM  | vmusic          | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-276C V1

|          |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|-----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Season   | 9/21/2006 11:24:50 AM | vmusic  | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(No) 4. Does the Decree or License have a Period of Use?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?</p> <p>(Yes) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(Yes) 18. Is a Period of Use remark and/or condition required?</p>                                                                     |
| Quantity | 9/21/2006 11:25:33 AM | vmusic  | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?</p> <p>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?</p> <p>(No) 8. Does the parent right have an annual diversion volume limit?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(Yes) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(Yes) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 10 - SEE TRANSFER 4215</p> |
| General  | 9/21/2006 11:16:20 AM | vmusic  | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                     |
| Summary  | 5/15/2006 2:27:25 PM  | scurtis | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p>                                                                                                                                                                                                                                                                                                                                                                                                              |
| Use      | 9/21/2006 11:24:29 AM | vmusic  | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Purpose of Use?</p> <p>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                  |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-276C V1

|        |                       |        |                                                                                                                                                                                                                                               |
|--------|-----------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source | 9/21/2006 11:19:21 AM | vmusic | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(Yes) 11. Is a Source remark and/or condition required? |
|--------|-----------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Water Supply Bank:

Desk top review/vlm

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

**Prior to Field Exam**

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?  
☒ Check fees paid  
 NA ☐ 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) 03-276C

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 – decreased  
☐ 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: Boise R 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? \_\_\_\_\_

transfer 4215 split rt & changed POD

**DIVERSION AND DELIVERY SYSTEM**

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

See claim and transfer 4215**OVERLAP REVIEW**

Other water rights with the same point of diversion:

none

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

**WATER USES**☒ No change☐ Different Uses

Use irv From 3/1 To 11/15 Amount .20 CFS \_\_\_\_\_ AFA 10 ac.  
Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA  
Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

**TOTAL VOLUME – Groundwater only**

- ☐ Incomplete on claim, the total is, Amount NA 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:split by trx 4215

| Place of Use |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|--------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| TWP          | RGE | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Overlap with other water rights: none

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

Delivery System Narrative:

see claim and transfer

| Well or Diversion Identification No<br>GPS ID | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge size |
|-----------------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                               |            |    |                  |           |                                   |
|                                               |            |    |                  |           |                                   |

#### FLOW MEASUREMENTS:

Attach appropriate documents

#### NARRATIVE/REMARKS/COMMENTS

534 504

103 stepdown

app # 114A in Boise R decree

✓ transfer conditions

- (1) POD downstream from Star Bridge
- (2) transfer 4215 formatics acc box in POD to Kellarmy Slough.

**AFTER EXAM THE FILE SHOULD CONTAIN:**

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

DATE EXAM CONDUCTED:

FIELD EXAMINER:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-276C V1

WATER RIGHT NUMBER: 63-276C V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | SHARON M STUTHEIT<br>5800 GARY LN<br>BOISE, ID 83703-2411<br>(208)853-2438 |
| Original Owner    | PATRICK O DONNEL<br>PARMA, ID                                              |
| Original Owner    | NEIL O DONNEL<br>PARMA, ID                                                 |
| Original Owner    | VIRGINIA K SCHRODER<br>PO BOX 658<br>PARMA, ID 83660<br>(208)722-5512      |
| Original Owner    | ARNOLD C CRAWFORTH<br>PARMA, ID 83660                                      |
| Current Owner     | RONALD R STUTHEIT<br>5800 GARY LN<br>BOISE, ID 83703-2411<br>(208)853-2438 |
| Original Owner    | GERALD E SCHRODER<br>PO BOX 658<br>PARMA, ID 83660<br>(208)722-5512        |

Priority Date: 05/01/1889

Basis:

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| BOISE RIVER   | SNAKE RIVER      |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION              | 3/15 to 11/15         | 0.200 CFS             | 45.00 AF             |
| <u>Total Diversion:</u> |                       | 0.200 CFS             | 45.00 AF             |

Location of Point(s) of Diversion

|               |            |         |          |               |
|---------------|------------|---------|----------|---------------|
| BOISE RIVER   | NW1/4NW1/4 | Sec. 8, | Twp 05N, | Rge 05W, B.M. |
| CANYON County |            |         |          |               |

Place of Use

|                 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|-----------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| IRRIGATION      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| Twp Rge Sec     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|                 | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N 05W 8       |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10.0   |
| Total Acres: 10 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. TRANS 227 THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-00276 FEE PAID UNDER RECEIPT NO. W007786.  
RDH 6/9/95.  
CLAIM AMENDED PER TRANSFER NO. 4215 APPROVED JAN. 18, 1994. SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4215 IN FILE.  
THE POINT OF DIVERSION UNDER RIGHT NO. A63-00276C IS LOCATED IN A SLOUGH KNOWN LOCALLY AS KALLARNEY SLOUGH.
3. 005 Use of water under this right is subject to control by the watermaster of State Water District No. &DISTRICT.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. 016 See remarks for additional conditions of approval.

Remarks:

Comments:

Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector:  
Water District Number: 63  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POD REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-276C

09/21/2006

1

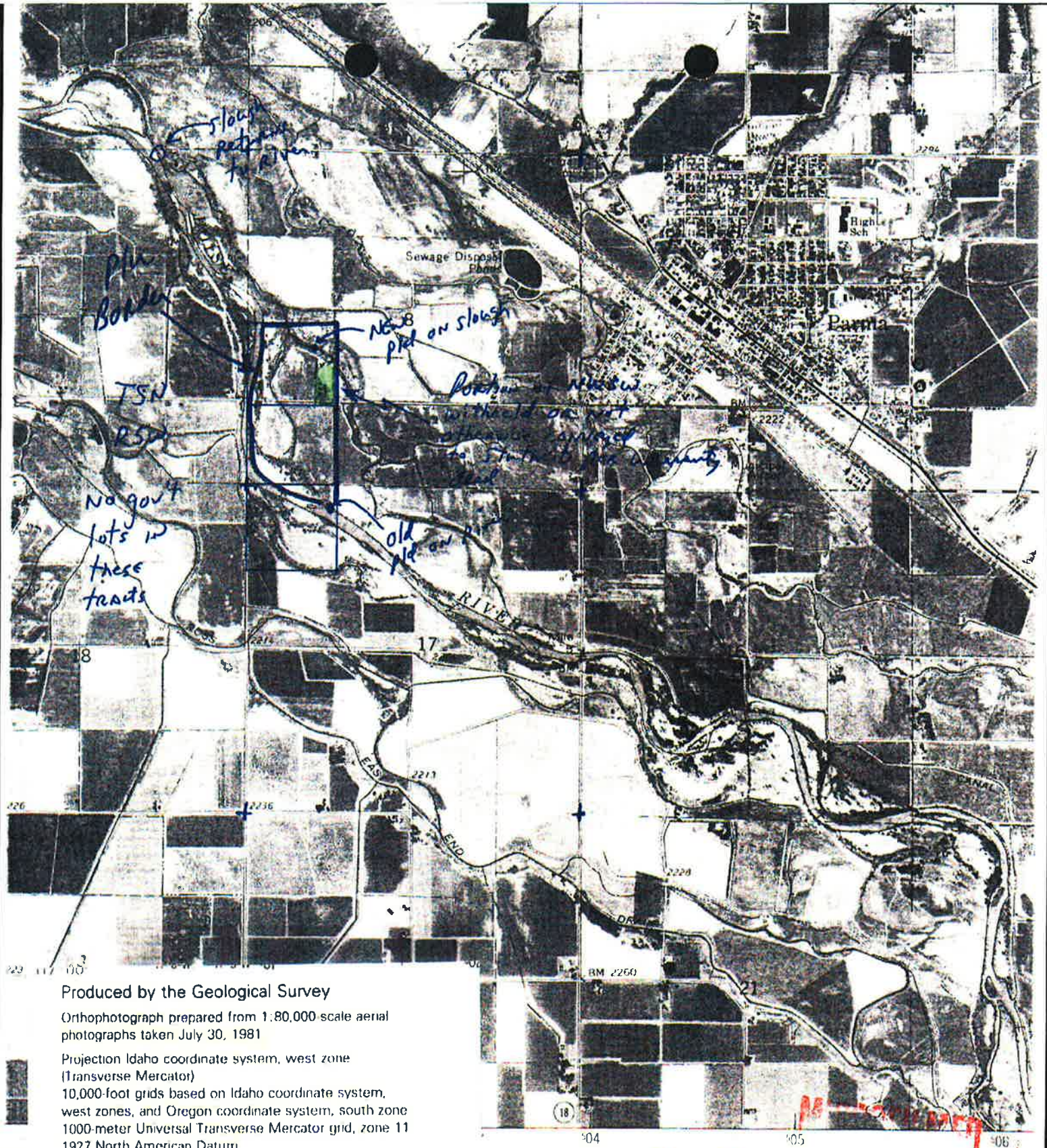
| ater Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Source                  | Name                 |
|--------------|-------------|-----|-----|-----|----|----|-----|-------------------------|----------------------|
| 63-276C      | Claim       | 05N | 05W | 8   | NW | NW |     | BOISE RIVER SNAKE RIVER | SHARON M STUTHEIT    |
| 63-20922     | Claim       | 05N | 05W | 8   | NW | NW |     | GROUND WATER            | DONALD K WEILMUNSTER |
| 63-20922     | Water Right | 05N | 05W | 8   | NW | NW |     | GROUND WATER            | DONALD K WEILMUNSTER |

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-276C

09/21/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name                 |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|----------------------|
| 276A    | Claim       | 05N | 05W | 8   | NW | SW |     | IRRIGATION     | 5/5         | SUSAN M. SPOOLSTRA   |
| 276C    | Claim       | 05N | 05W | 8   | NW | SW |     | IRRIGATION     | 10/10       | SHARON M STUTHEIT    |
| 276A    | Water Right | 05N | 05W | 8   | NW | SW |     | IRRIGATION     |             | ARNOLD C CRAWFORTH   |
| 276C    | Water Right | 05N | 05W | 8   | NW | SW |     | IRRIGATION     | 10/10       | SHARON M STUTHEIT    |
| 16088   | Water Right | 05N | 05W | 8   | NW | SW |     | STOCKWATER     |             | RICHARD S. SPOOLSTRA |
| 16088   | Water Right | 05N | 05W | 8   | NW | SW |     | DOMESTIC       |             | RICHARD S. SPOOLSTRA |



# Produced by the Geological Survey

Orthophotograph prepared from 1:80,000 scale aerial photographs taken July 30, 1981

Projection Idaho coordinate system, west zone (Transverse Mercator)

10,000-foot grids based on Idaho coordinate system, west zones, and Oregon coordinate system, south zone 1000-meter Universal Transverse Mercator grid, zone 11 1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 16 meters north and 78 meters east as shown by dashed corner ticks

Photomagey rectified by optical scanning Where double or mismatched image occur use the mean of image position for map point

Land lines from Parma, Idaho—Oregon 1:24,000-scale topographic map dated 1965

There may be discrepancies between positions on land lines and photomagey

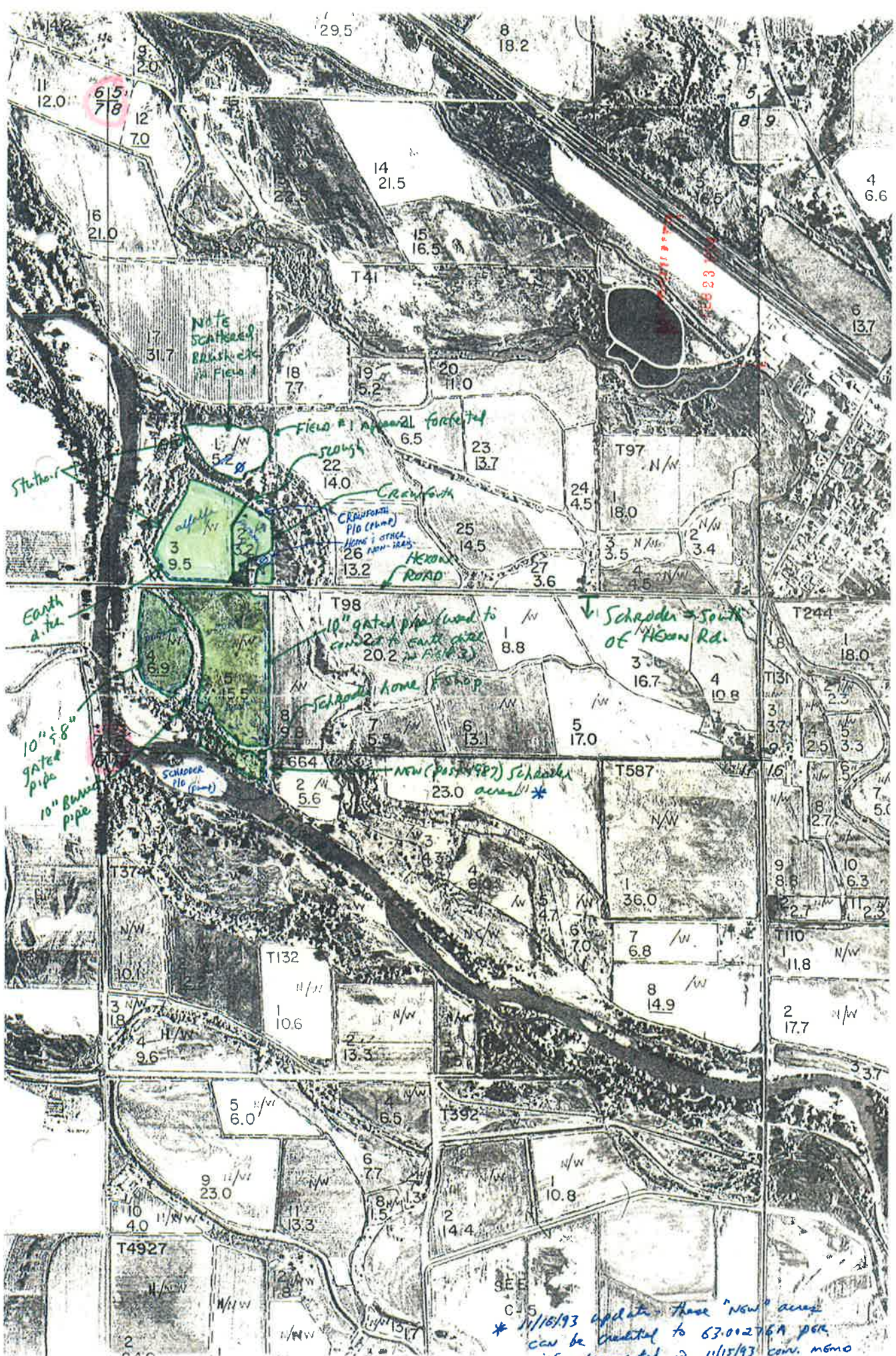
W53 quad

NO NAPP photo available for

W53 - R 9/7/93

SCALE 1:24,000 FEB 23 1994

Copies Of These Maps Can Be Obtained At Bonneville Blue Print Co. Attachment B



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276C

This is to certify that: **RONALD STUTHEIT**  
**SHARON STUTHEIT**  
**5800 GARY LANE**  
**BOISE ID 83703**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.20 CFS              | 45.0 AF              |
| <u>SOURCE</u>         | <u>TRIBUTARY OF</u>  |                       |                      |
| BOISE RIVER           | SNAKE RIVER          |                       |                      |

Priority: 05/01/1889

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 8, Township 05N, Range 05W  
CANYON County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N                              | 05W        | 8          | NWSW         | 10           |              | 10           |
| Total number of acres irrigated: |            |            |              |              |              | 10           |

CONDITIONS/REMARKS:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 63.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

**RECORDED**  
FEB 23 1994

TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276C

CONDITIONS/REMARKS:

6. The point of diversion under Right No. 63-00276C is located in a slough known locally as Kallarney slough.
7. Right No. 63-00276B is also changed under Transfer No. 4215 and is represented on a separate transfer approval.

Dated this 18<sup>th</sup> day of January, 1994.

J. Shw Suptor  
Chief, Water Alloc. Bureau

RECORDED  
FEB 23 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276B

This is to certify that: **GERALD E SCHRODER**  
**28801 HEXON RD**  
**PARMA ID 83660**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.52 CFS              | 117.0 AF             |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| BOISE RIVER   | SNAKE RIVER         |

Priority: 05/01/1889

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 17, Township 05N, Range 05W  
NWNW , Sec. 17, Township 05N, Range 05W  
CANYON County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N                              | 05W        | 8          | SWSW         | 24.5         |              | 24.5         |
|                                  |            | 17         | NWNW         | 1.5          |              | 1.5          |
| Total number of acres irrigated: |            |            |              |              |              | 26.0         |

CONDITIONS/REMARKS:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 63.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

FEB 23 1994

TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276B

CONDITIONS/REMARKS:

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Right No. 63-00276B has a single point of diversion located on or near the line between NENW and NWNW, S17, T05N, R05W.
7. Right No. 63-00276C is also changed under Transfer No. 4215 and is represented on a separate transfer approval.

Dated this 18<sup>th</sup> day of January, 1994.

J. Allen Saylor  
Chief, Water Alloc. Bureau

FEB 23 1994

RECEIVED  
AUG 17 1993

Page 1 of 8

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Western Regional Office

Transfer No. 4215

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

RECEIVED  
DEC 02 1993

Department of Water Resources

Name of applicant Gerald E. Schroeder Phone 722-5512  
Post Office address PO Box 658 Parma, ID 83660  
28801 HEXON ROAD

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe the reason for the proposed changes Split property per recent sale. Add diversion point for new owner. Clarify location of existing diversion point & place of use (to agree with SRBA claim). This will recognize an accomplished transfer of existing pld & some acres as well as allow a new & second pld to be used.

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| Right Number                            | Priority        | Amount (cfs/ac-ft) | Nature of Use     | Period of Use               |
|-----------------------------------------|-----------------|--------------------|-------------------|-----------------------------|
| <u>63-00276A</u><br><u>(Schroeder)</u>  | <u>5-1-1889</u> | <u>.90 cfs</u>     | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| <u>* 63-00276B</u><br><u>(Stutheit)</u> | <u>5-1-1889</u> | <u>.70 cfs</u>     | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |

2. Total amount of water being transferred 1.60 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

3. Source of water Boise River tributary to Snake River (63-00276A)

4. Point(s) of Diversion: unnamed slough " " Boise River (63-00276B)  
(SEE REMARKS @ SOURCE)

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
| -   | NE  | NW  | NW  | 17   | 5N   | 5W   | CANYON | Existing, 63-00276A      |
| -   | NE  | NW  | SW  | 8    | "    | "    | "      | NEW, 63-00276B<br>C      |

5. Lands irrigated or place of use: no change from actual use but slightly different than decree

| Twp. | Rge. | Sec. | NE ¼       |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼       | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      | 63-00276A: |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| 5N   | 5W   | 8    |            |      |      |      |      |      |      |      |      |      | 2    | 40   |      |      |      | 42   |        |
|      |      | 17   |            |      |      |      |      | 3    |      |      |      |      |      |      |      |      |      | 3    |        |
|      |      |      | 63-00276B: |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |            |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
| 5N   | 5W   | 8    |            |      |      |      |      |      |      |      |      |      | 35   |      |      |      |      | 35   |        |

\* Suffix changed per 11/5/93 field exam - RL

both rights → Total acres 80total  
} 45

35

**PART 1**

**6. General Information:**

a. Description of diversion system Existing 63-00276A : pump, pipeline, ditch  
proposed 63-00276B : pump with furrow irrigation

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO change actually occurring - same land irrigated  
before & after transfer.

**d. Remarks:**

*and a  
existing pld  
5.17 Nunn  
instead of  
Nunn.*  
Place of use change, comparing decreed pld in w/2 SW/4 5.8 to  
actual pld as shown in SRBA claim A63-00276, is accomplished  
transfer prior to 11/1987. New pld on slough which is directly tributary  
to Boise River (see Attach. B) is thus immediately integrated in River system.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

**RECEIVED**

**FEB 23 1994**

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-00276

STAGE: DECREED

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> |
|-----------------------|----------------------|-----------------------|
| IRRIGATION            | to                   | 1.60 CFS              |
| <u>SOURCE</u>         |                      | <u>TRIBUTARY OF</u>   |
| BOISE RIVER           |                      | SNAKE RIVER           |

Priority: 05/01/1889

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 17, Township 05N, Range 05W  
CANYON CountyPLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N        | 05W        | 8          | NWSW         | SWSW         |              |              |

CONDITIONS/REMARKS:

1. TRANS. 227.

MICROFILMED

FEB 23 1994

# STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED** → in Decree & previous transfer no. 227

1. Right evidenced by:

a. Decree No. 63-00276 Decreed to Neil & Patricia O'Donnell (now g. Schroeder)  
in case of Farmers Coop Ditch Co. vs. Riverside Irrig. Dist.  
dated 5-11-1925 in 7th Ind. Dist. Court county of Canyon

b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.

c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.

d. Transfer No. 227 which produced this right. (pld change only in T. 227)

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Boise River tributary to Snake River

4. Date or priority 5-1-1889

5. Water is used for the following purpose:

amount 1.60 cfs for Irrigation purposes from not specified in decree or  
(cfs/ac-ft) \_\_\_\_\_ purposes from \_\_\_\_\_ to previous transfer  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_

6. Total amount of water under right 1.60 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
| —   | —   | NE  | NW  | 17   | 5N   | 5W   | Canyon |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals                                       |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------------------------------------------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |                                              |
| 5N   | 5W   | 8    |        |        |        |        |        |        |        |        | X      | X      |        |        |        |        |        |        | not specified in decree or previous transfer |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                                              |

(decree at .02 cfs/acre implies 80 acres)

FEB 23 1994

Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above none



NOTE

pg 4

Parts B i C show the existing \*  
Right as it has been used.

Part B shows the 35 area that  
Stratheit bought. Parts B i C are to  
be changed as shown on pg. 1 of  
transfer.

\* also see claim A63-00276

---

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

RECEIVED  
DEC 02 1993

Department of Water Resources

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to to SRBA commencement on 11/1987.  
 in case of \_\_\_\_\_ vs. \_\_\_\_\_  
 dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_ and in point  
 of diversion
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. A63-00276 on file with the Idaho Department of Water Resources.
- d. Transfer No. 227 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other \_\_\_\_\_

3. Source of water Boise River tributary to Snake River

4. Date or priority 5-1-1889

5. Water is used for the following purpose:

amount 1.60 cfs for Irrigation purposes from 3/15 to 11/15  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

6. Total amount of water under right 1.60 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     | NE  | NW  | NW  | 17   | 5N   | 5W   | Canyon |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 5N   | 5W   | 8    |        |        |        |        |        |        |        |        |        | 37     | 40     |        |        |        |        |        | 77     |
|      |      | 17   |        |        |        |        | 3      |        |        |        |        |        |        |        |        |        |        |        | 3      |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 80

9. Describe any other water rights used for the same purpose as described above

None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

*Same as pg 4 for B & C on pg 6*  
(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

*See Attachment B*

**RECORDED**

**FEB 23 1994**

SCALE: 2 inches equal 1 mile. Draw plan in ink.

**PART 3****B. CHANGES IN NATURE OF USE** *N/A*

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   |                   |                       |                 | to _____      |
|   |                   |                       |                 | to _____      |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

X Gerald E. Schuder  
(Signature of Applicant)

Subscribed and sworn to before me this 3<sup>rd</sup> day of August, 19 93.

Ann Enoki  
(Notary Public)

My commission expires 12-3-98

**FOR DEPARTMENT USE ONLY**

Transfer contains 8 pages and 5 attachments

Received by JFW Date 5/27/93 \* Protest filed by \_\_\_\_\_

Prelim. check by SA Fee \$50

Received by JFW Date 5/27/93 \* W016310

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. by DW

Copy of transfer sent to lien holder \_\_\_\_\_

\* Original Rec'd. 5/27/93 by JFW. This is  
revised version per correspondence &  
office visit. - SA 7/13/93

This revision returned by applicant to dept 8/17/93.

RECEIVED  
FEB 23 1994

- SA 9/7/93

CANYON COUNTY ASSESSOR  
1115 ALBANY ST-RM323  
CALDWELL, ID 83605

Phone 454-7431

CATEGORY DESCRIPTION  
DRY GRAZING  
RUR RESIDENT TRACT  
IMP ON RUR TRACT

IMPORTANT NOTICE - PLEASE READ

PARCEL NO. 3R38952-000- -0  
UNIFORM 05N05W173000  
TAX CODE 39-00 05-20-93  
MARKET VALUE  
LOTS / ACRES  
1.69 75  
1.00 9,000  
9,200

PRESORTED  
FIRST CLASS MAIL  
U. S. POSTAGE PAID  
CALDWELL, ID 83605-3542  
PERMIT NO. 4

1993  
TAXPAYERS  
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation  
listed on this statement.

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE  
JUNE 18, 1993

See the reverse side for further references.  
KEEP THIS COPY FOR YOUR RECORDS  
REGULAR ROLL

Mail To:  
SCHRODER, GERALD E  
& SCHRODER, VIRGINIA K-H/W

RECEIVED  
AUG 27 1993

TOTAL FULL CASH VALUE  
TAX 2 IN NWNW

18,275

SEC 17-5N-5W NW

PROPERTY ADDRESS  
28801 HEXON RD, PA

28801 HEXON RD  
PARMA

ID 83660

Department of Water Resources  
Emmett Regional Office

Owns 2.69 AC  
NWNW 5.17

CANYON COUNTY ASSESSOR  
1115 ALBANY ST-RM323  
CALDWELL, ID 83605

Phone 454-7431

CATEGORY DESCRIPTION  
IRRIGATED AGRICUL  
IRRIGATED PASTURE  
DRY GRAZING  
WASTE

IMPORTANT NOTICE - PLEASE READ  
PARCEL NO. 3R38740-010- -0  
UNIFORM 05N05W086000  
TAX CODE 39-00 05-20-93  
MARKET VALUE  
LOTS / ACRES  
6.44 4,400  
14.96 4,275  
14.40 425  
4.20

PRESORTED  
FIRST CLASS MAIL  
U. S. POSTAGE PAID  
CALDWELL, ID 83605-3542  
PERMIT NO. 4

1993  
TAXPAYERS  
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation  
listed on this statement.

IF THERE ARE ANY QUESTIONS  
REGARDING THIS STATEMENT  
NOTIFY THE ASSESSOR'S OFFICE BEFORE  
JUNE 18, 1993

See the reverse side for further references.  
KEEP THIS COPY FOR YOUR RECORDS  
REGULAR ROLL

Mail To:  
SCHRODER, GERALD E  
& SCHRODER, VIRGINIA K-H/W

TOTAL FULL CASH VALUE  
SWSW

9,100

SEC 08-5N-5W SW

PROPERTY ADDRESS  
HEXON RD, PA

28801 HEXON RD  
PARMA

ID 83660

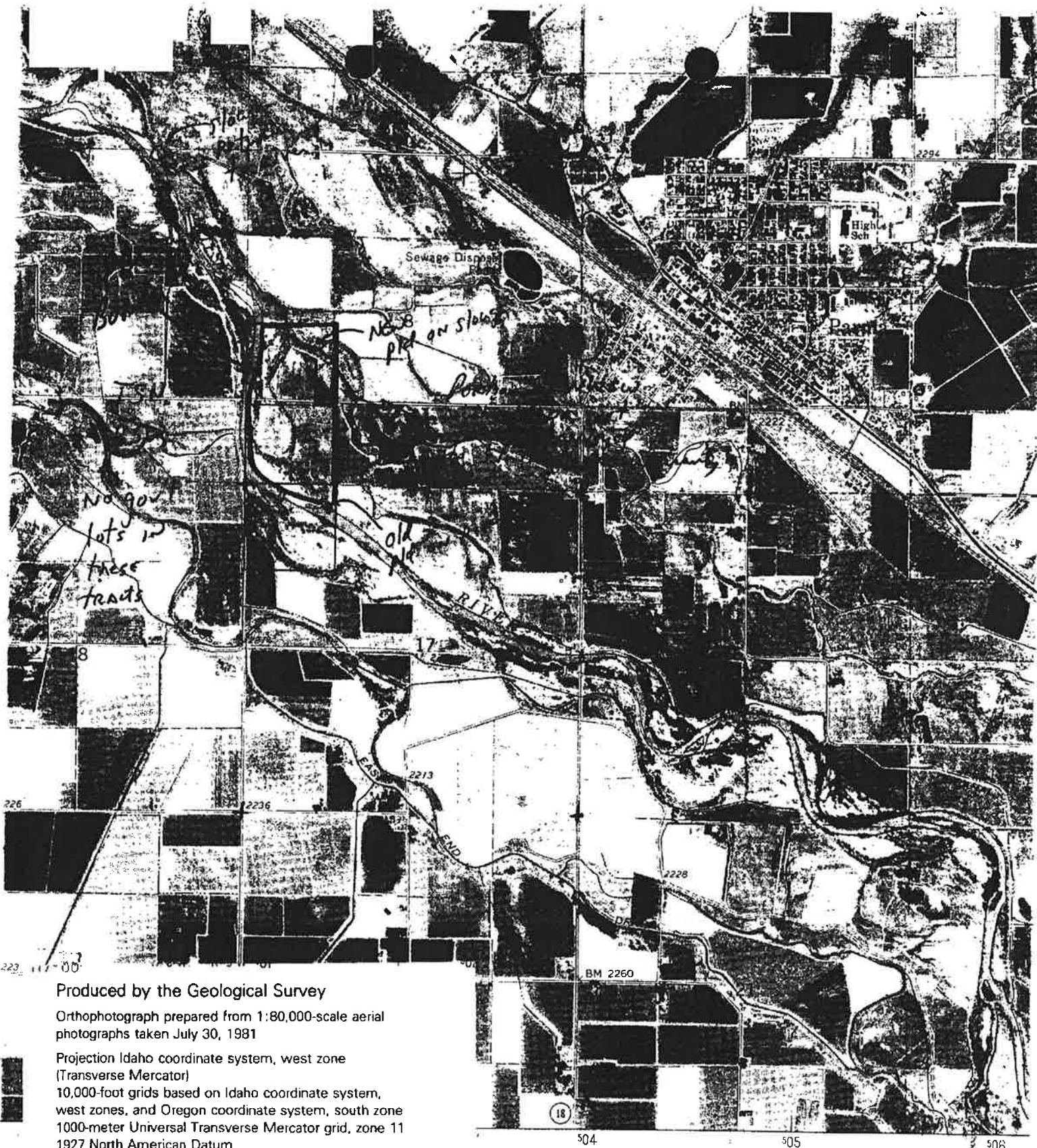
Attached warranty deed conveys  
acre in NWNW 5.8 to  
Stutheits.

RECEIVED

FEB 23 1994

Attachment A

Owns 40 AC  
SWSW 5.8



# Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 30, 1981

Projection Idaho coordinate system, west zone (Transverse Mercator)

10,000-foot grids based on Idaho coordinate system, west zones, and Oregon coordinate system, south zone 1000-meter Universal Transverse Mercator grid, zone 11 1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 16 meters north and 78 meters east as shown by dashed corner ticks

Photoimagery rectified by optical scanning  
Where double or mismatched image occur use the mean of image position for map point

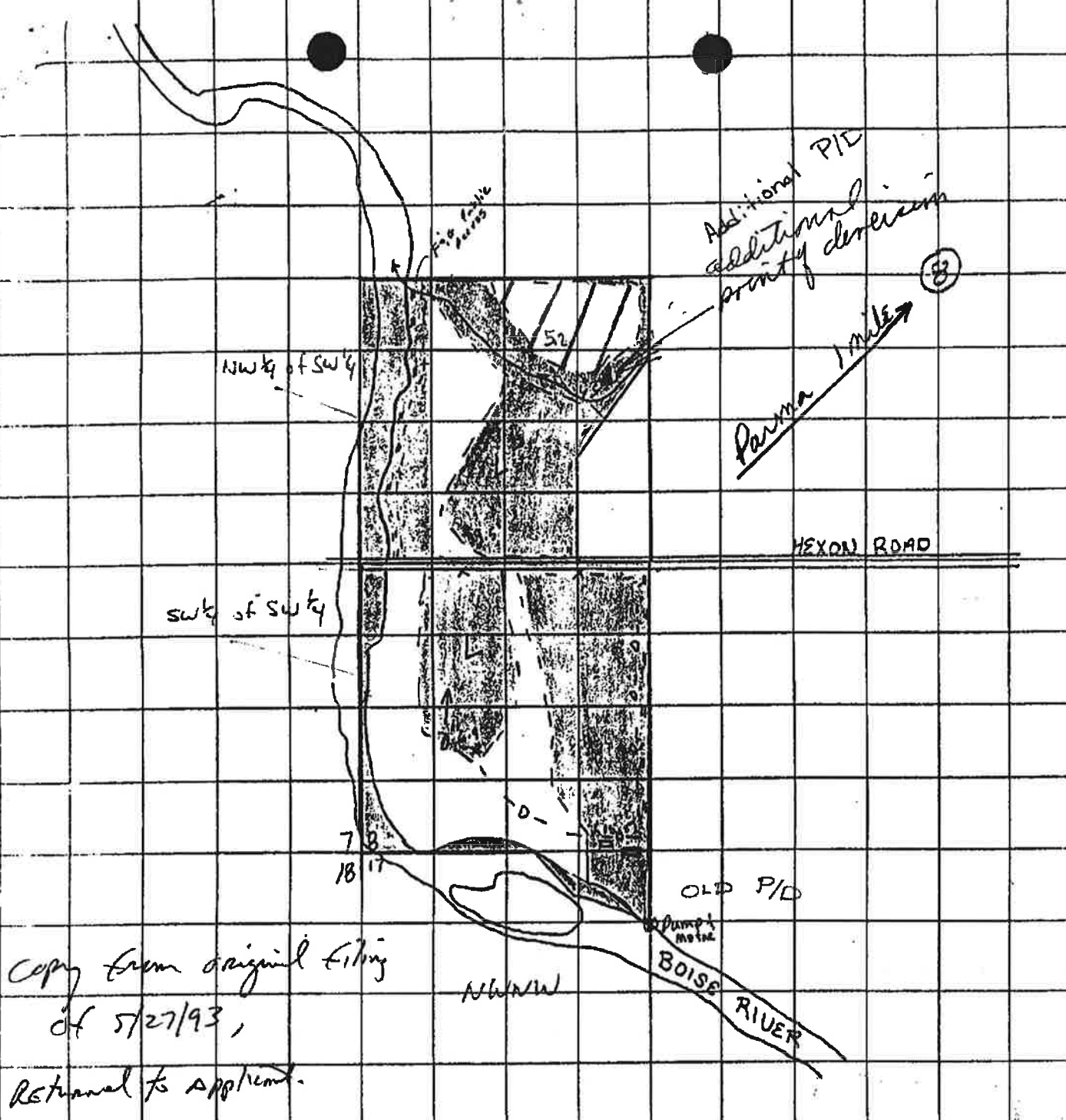
Land lines from Parma, Idaho—Oregon  
1:24,000-scale topographic map dated 1965

There may be discrepancies between positions on land lines and photoimagery

W53  
quad

NO NAPP photo available for W53 9/7/93 SCALE 1:24,000 FEB 23 1994

Copies Of These Maps Can Be Obtained At Bonneville Bluffs Attachment B



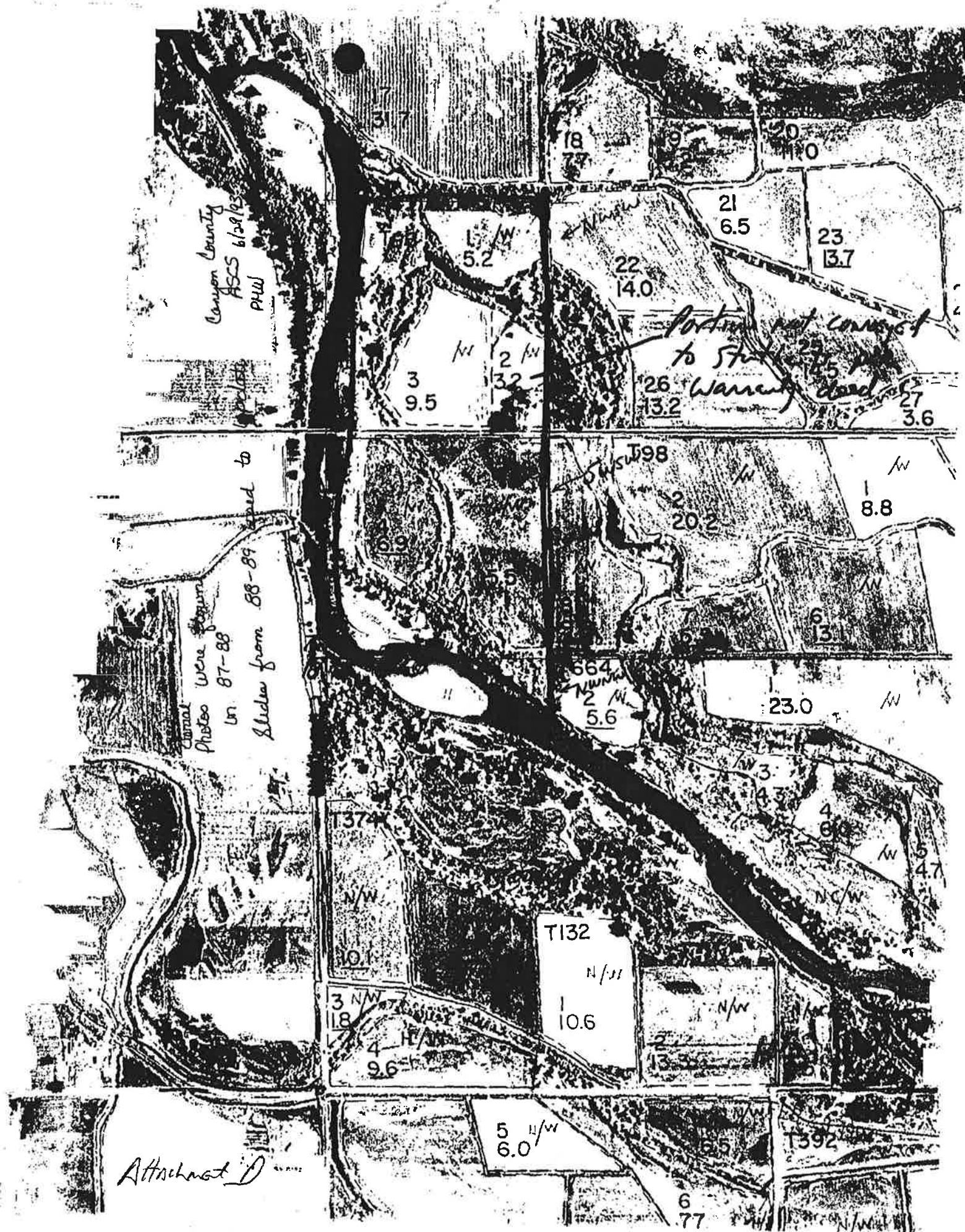
Copy from original filing  
of 5/27/93,  
Return to Applicant.

*FL*

|                          |               |        |           |
|--------------------------|---------------|--------|-----------|
| TP                       | <u>SN</u>     | RGE    | <u>SW</u> |
|                          | <u>CANYON</u> | COUNTY |           |
|                          | <u>IDA</u>    | STATE  |           |
| SCALE 1" = 660'          |               |        |           |
| PLAT                     | 12/91         |        |           |
| <i>led</i><br><i>led</i> |               |        |           |

FEB 23 1994

*Attachment C*  
 Transfer Application  
 Gerald E. Schroder  
 511-1011



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276C

This is to certify that: RONALD STUTHEIT  
SHARON STUTHEIT  
5800 GARY LANE  
BOISE ID 83703

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.20 CFS              | 45.0 AF              |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| BOISE RIVER   | SNAKE RIVER         |

Priority: 05/01/1889

LOCATION OF POINT(S) OF DIVERSION: NWSW , Sec. 8, Township 05N, Range 05W  
CANYON County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 05N                              | 05W        | 8          | NWSW         | 10           |              | 10           |
| Total number of acres irrigated: |            |            |              |              |              | 10           |

CONDITIONS/REMARKS:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 63.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

RECORDED

FEB 23 1994

TRANSFER NO. 4215 (PART)  
WATER RIGHT NO. 63-00276C

CONDITIONS/REMARKS:

- ap. 6. The point of diversion under Right No. 63-00276C is located in a slough known locally as Kallarney slough.
7. Right No. 63-00276B is also changed under Transfer No. 4215 and is represented on a separate transfer approval.

Dated this 18<sup>th</sup> day of

January, 1994.

J. Shw Suptor  
Chief, Water Alloc. Bureau

MICROFILMED

FEB 23 1994

ACREAGE DETERMINATION T. 4215 (63-00276)  
FIELD EXAM 11/5/93 USING 1987 ASES PHOTO

| A                    | B*                   | C                          |
|----------------------|----------------------|----------------------------|
| Schroeder            | Crawforth            | Statheit                   |
| Field 4 = 7 ACRES    | Field 2 = 4 ACRES    | Field 3 = 10 ACRES         |
| Field 5 = 16 "       | plus minor additions | Field 1 = NONE (fortunate) |
| add'l. ACRES** = 3 " |                      |                            |
| 26 ACRES             | 4 ACRES              | 10 ACRES                   |
| x .02 cts/ac         | x .02 cts/ac         | x .02 cts/ac               |
| .52 cts              | .08 cts              | .20 cts                    |

RECOMMENDATIONS

|                     |                   | P/W                                      |
|---------------------|-------------------|------------------------------------------|
| Schroeder 63-00276A | 26 ACRES, .52 cts | SWSW S. 8 24.5 AC.<br>NWNW S. 17 1.5 AC. |
| Crawforth 63-00276B | 4 ACRES, .08 cts  | NWSW S. 8 4 AC.                          |
| Statheit 63-00276C  | 10 ACRES, .20 cts | NWSW S. 8 10 AC.                         |
| TOTAL               | 40 ACRES, .80 cts |                                          |

FEB 23 1994

[NOTE: CC this pg. filed with A63-00276 (claims all of right) and A63-00276B (claiming Crawforth acres). Refers AJ staff to T. 4215]

\* Since Crawforth filed A63-00276B, we A, B, C as shown.

\*\* between Lowe & River in SWSW S. 8 & NWNW S. 17 - SEE 11/15/93



- FIELDS 1,2,3 NWSW 5.8
- FIELDS 4,5 SWSW 5.8
- NEW\* (POST 1987) SCHRODER FIELD SWSW 5.8 & NWNW 5.17
- SCHRODER P/D ON/NEAR LING NENWNW & NWNEWN 5.17
- P/W SCHRODER 5.17 & SWSW 5.8
- CRAWFORTH NWSW (FIELD 2 + MINOR AMOUNT SEENWSW)
- STUTHEIT NWSW (FIELDS 1 & 3) (FIELD 1 = NON-IRIGATED)
- CRAWFORTH P/D SENWSW 5.8
- SPLITS TO BE CONSISTENT WITH SRBA FILING:
  - A = SCHRODER
  - B = CRAWFORTH (ADDED SEPARATE P/D)
  - C = STUTHEIT (will add NEW p/d 7.4215)

PER 11/5/93 FIELD EXAM - 82

SEE C25  
 \* 11/16/93 update: These "NEW" acres can be quantified to 63.0026A per info documented in 11/15/93 conv. memo NOT

that the intervenors have priority of right to the use of the water of the Boise River from May 1st, 1889, and the Court being fully advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED, That the quantity of water required for the successful cultivation and irrigation of said land measured at the point where said ditch takes water from Boise River is One (1) inch per acre; that said one (1) inch per acre is understood to be in the same status as the one (1) inch per acre in the Judgment entered in the above entitled action on January 19, 1906 and is subject to such modifications and temporary orders as this Court may make for the above entitled cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the intervenors, [REDACTED] and [REDACTED],

be and they are hereby awarded the use of the water of the Boise River and the tributaries thereof, subject to the above modifications from [REDACTED] to be carried through a ditch, taking water from the Boise River, One Hundred Fifty (150) feet down the River from the point where [REDACTED] formerly took water from said River in the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ), Section Seventeen (17), Township Five (5) North of Range Five (5) West of the Boise Meridian, in the quantity of Eighty (80) inches measured under a four (4) inch pressure, said eighty (80) inches of water and the whole thereof to be appurtenant to and to be used upon the following described property situated in Canyon County, State of Idaho, to-wit:

The West One-half (W $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ), Section Eight (8), Township Five (5) North of Range Five (5) West of the Boise Meridian.

POP  
SENE 17  
POU

BoH 1.6 cfs  
for 80 ac?

W/2 GW B