

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-2461
Date Received: 2/26/1990
Receipt No: W009566
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
OCT 09 2003
WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

JERILYN ICKES LANCASTER Phone: (541)686-2914
CO-TENANT IN COMMON, AS SOLE AND SEPARATE PROPERTY
196 ROAN DR
EUGENE OR USA 97401-5755

MILLARD W ICKES Phone: (208)454-3604
CO-TENANT IN COMMON, AS SOLE AND SEPARATE PROPERTY
21250 MIDLAND BLVD
CALDWELL ID USA 83605-7904

DEBRA ICKES LITTLE Phone: (503)629-8550
CO-TENANT IN COMMON, AS SOLE AND SEPARATE PROPERTY
1975 NW 167TH PLACE
BEAVERTON OR USA 97006-4829

PAMELA ICKES PETERSON Phone: (208)465-5010
CO-TENANT IN COMMON, AS SOLE AND SEPARATE PROPERTY
404 W COLORADO
NAMPA ID USA 83686-2813

2. Date of Priority: 10/15/1931

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02W	25	SE SE SE	CANYON	

5. Description of diverting works:

160' WELL W/8" CASING, PUMP, DITCHES FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	25	NE	SE	IRRIGATION	35
			SE	SE	IRRIGATION	5
					Section Acres	40
					Total Acres	40

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Claim amended per claimant request. 8/26/03

Note regarding POU ownership response: At the time of the filing of the original claim to which this amendment applies, Ivy Ickes, the original claimant (now deceased), owned all 40 acres listed above as the place of use. Since that time, 35 of the acres listed as the place of use (those in the NE1/4SE1/4) have been conveyed to Nampa School District #131; but claimants herein retained the water rights for the 35 acres conveyed and those rights were, in turn, transferred by claimants to the Idaho Water Supply Bank in 2001, where they are still held in claimants' account. Claimants still own the five-acre irrigated real property listed above (the portion of the real property in the SE1/4SE1/4).

OWNER HAS WELL AGREEMENT TO SHARE WELL WITH THIRD WARD (PUMP NO. IS 619). LICENSE 63-02461 LISTS 40 ACRES IN SE SE, SEC. 25, BUT HISTORICAL USE HAS BEEN IN NE SE AND SE SE. ACRES IN SESE HAVE NOT BEEN IRRIGATED FROM WELL FOR MANY YEARS EXCEPT RECENTLY (20 ACRES BY BEN KRAJNIK). THUS, THE 20 ACRES IN SESE MAY NOT HAVE PROTECTION UNDER THIS RIGHT. MAP ALSO USED FOR A63-21224.

| ADDRESS CHANGE BY CLAIMANT LETTER 4/14/1999 SS.

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

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): Philip Forcoster Date: Sept. 10, 2003

State of Oregon)
County of Lane) SS.

Subscribed and sworn (or affirmed) before me this

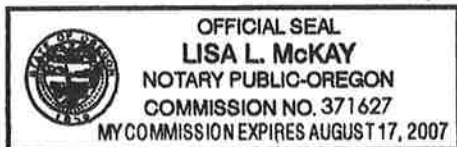
of Sept 2003

10th day
Lisa McKay

Notary Public

Residing at 925 Harlow Rd

My commission Expires Aug 17, 2007



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
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404 W COLORADO
NAMPA ID USA 83686-2813

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WATER RESOURCES
WESTERN REGION

2. Date of Priority: 10/15/1931

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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14. Remarks:

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Note regarding POU ownership response: At the time of the filing of the original claim to which this amendment applies, Ivy Ickes, the original claimant (now deceased), owned all 40 acres listed above as the place of use. Since that time, 35 of the acres listed as the place of use (those in the NE1/4SE1/4) have been conveyed to Nampa School District #131; but claimants herein retained the water rights for the 35 acres conveyed and those rights were, in turn, transferred by claimants to the Idaho Water Supply Bank in 2001, where they are still held in claimants' account. Claimants still own the five-acre irrigated real property listed above (the portion of the real property in the SE1/4SE1/4).

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| ADDRESS CHANGE BY CLAIMANT LETTER 4/14/1999 SS.

15. Basis of Claim: License

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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): Millard W. Debes Date: 9-2-03

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 2nd

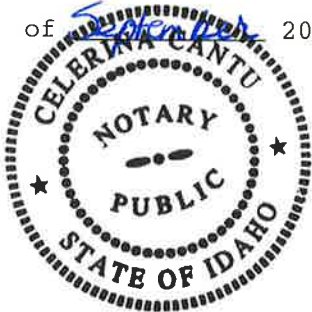
of September 2003

Celina Cantu

Notary Public

Residing at Nampa, Idaho

My commission Expires 10/07/03



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

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OCT 09 2003

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WESTERN REGION

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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): Debra Little Date: 10.1.03

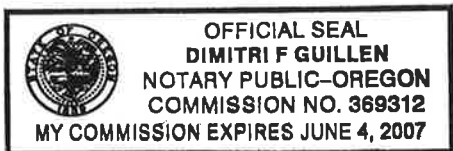
State of Oregon)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this
of 1 2003

October
Dimitri F Guillen
Notary Public

Residing at Washington Co, Oregon

My commission Expires 369312
expires 6-4-2007



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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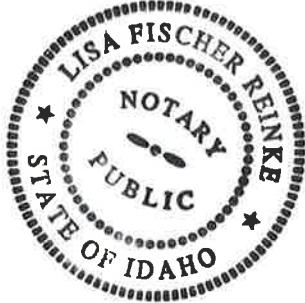
For Individuals:

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

Signature of Claimant(s): Doreen J. Peterson Date: 10/3/03

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of October 2003 Lisa Fischer Reinke



Notary Public

Residing at Meridian, ID

My commission Expires 4/16/2008

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AMENDED

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DEBRA ICKES LITTLE Phone: *(503) 629-8550*
1260 NW WATERHOUSE AVE 1975 NW 167th PLACE
SUITE 100
BEAVERTON OR USA 97006-5794 *4829*

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8. Total consumptive use:

9. Non-irrigation uses:

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03N	02W	25	NE	SE	IRRIGATION	~~33~~ 35
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					Section Acres	40
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15. Basis of Claim: License

*Note regarding Paragraph 12 response: At the time of the filing of the original claim to which this amendment applies, Ivy Ickes, the original claimant (now deceased), owned all 40 acres listed above as the place of use. Since that time, 35 of the acres listed as the place of use (those in the NE $\frac{1}{4}$ SE $\frac{1}{4}$) have been conveyed to Nampa School District #131; but claimants herein retained the water rights for the 35 acres conveyed and those rights were, in turn, transferred by claimants to the Idaho Water Supply Bank in 2001, where they are still held in claimants' account. Claimants still own the five-acre irrigated real property listed above (the portion of the real property in the SE $\frac{1}{4}$ SE $\frac{1}{4}$).

Please send 5 copy

16. Signature(s)

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For Individuals:

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Signature of Claimant(s): _____ Date: _____

[ONE SIGNATURE LINE PER CLAIMANT]

[Signature] _____ Date: *[Signature]* _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

*Please set up so the four claimants
sign individually. There will be two
Idaho Notaries and two Oregon notaries.*

Thanks

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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CIVIL CASE NUMBER: 39576

Ident. Number: **A63-02461**
Date Received: 2/26/1990
Receipt No: W009566
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: IVY ICKES
Address: 404 W COLORADO AVE
NAMPA ID

208-465-5010

83686-2813

2. Date of Priority: OCT 15, 1931

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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03N	02W	25	SE	SE	SE		CANYON

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

7. Total Quantity Appropriated is:

0.800 C.F.S. (and/or) A.F.A.

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

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02W	25	NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

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:

NAMPA-MERIDIAN IRRIGATION DIST. & A63-21224 D/S

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|
ADDRESS CHANGE BY CLAIMANT LETTER 4/14/1999 SS.

15. Basis of Claim: LICENSE

Water Right Number: 17587



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

APR 12 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

April 5, 1999

KARL J. DREHER
DIRECTOR

IVY ICKES
404 W COLORADO AVE
NAMPA ID 83686-2813

Re: Snake River Basin Adjudication (SRBA)
Water Rights #A63-02461 & 63-21224
Change of Address

Dear Claimant:

*Records changed, ncrsp prepared
as 4-14-99*

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

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by April 19, 1999. Thank you for your help.

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

If there has been a change in ownership of the property connected with the water right(s) referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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

Ivy Ickes
Claimant Signature

4655010
Telephone No.

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: A63-02461
Date Received: 2/26/1990
Receipt No: W009566
Received By: *JS*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: IVY ICKES
Address: 411 S. HAPPY VALLEY
NAMPA, ID

83687

208-466-0557

RECEIVED

APR 06 1990

Department of Water Resources
Western Regional Office

2. Date of Priority: OCT 15, 1931

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	25	SE	SE	SE		CANYON

5. Description of diverting works:
160' WELL W/8" CASING, PUMP, DITCHES FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

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

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

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

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	25	NE	SE		IRR	40.0
Section Acres							40.0

A63-02461

Page 1

Date: 03/19/90

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Total Acres 40.0

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:

NAMPA-MERIDIAN IRRIGATION DIST. & A63-21224 D/S

14. Remarks:

OWNER HAS WELL AGREEMENT TO SHARE WELL WITH THIRD WARD (PUMP NO. IS 619). LICENSE 63-02461 LISTS 40 ACRES IN SE SE, SEC. 25, BUT HISTORICAL USE HAS BEEN IN NE SE. ACRES IN SESE HAVE NOT BEEN IRRIGATED FROM WELL FOR MANY YEARS EXCEPT RECENTLY (20 ACRES BY BEN KRAJNIK). THUS, THE 20 ACRES IN SESE MAY NOT HAVE PROTECTION UNDER THIS RIGHT. MAP ALSO USED FOR A63-21224.

15. Basis of Claim: LICENSE

Water Right Number: 17587

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: 2

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): Ray Sipes Date: 3/30/90

Date: _____

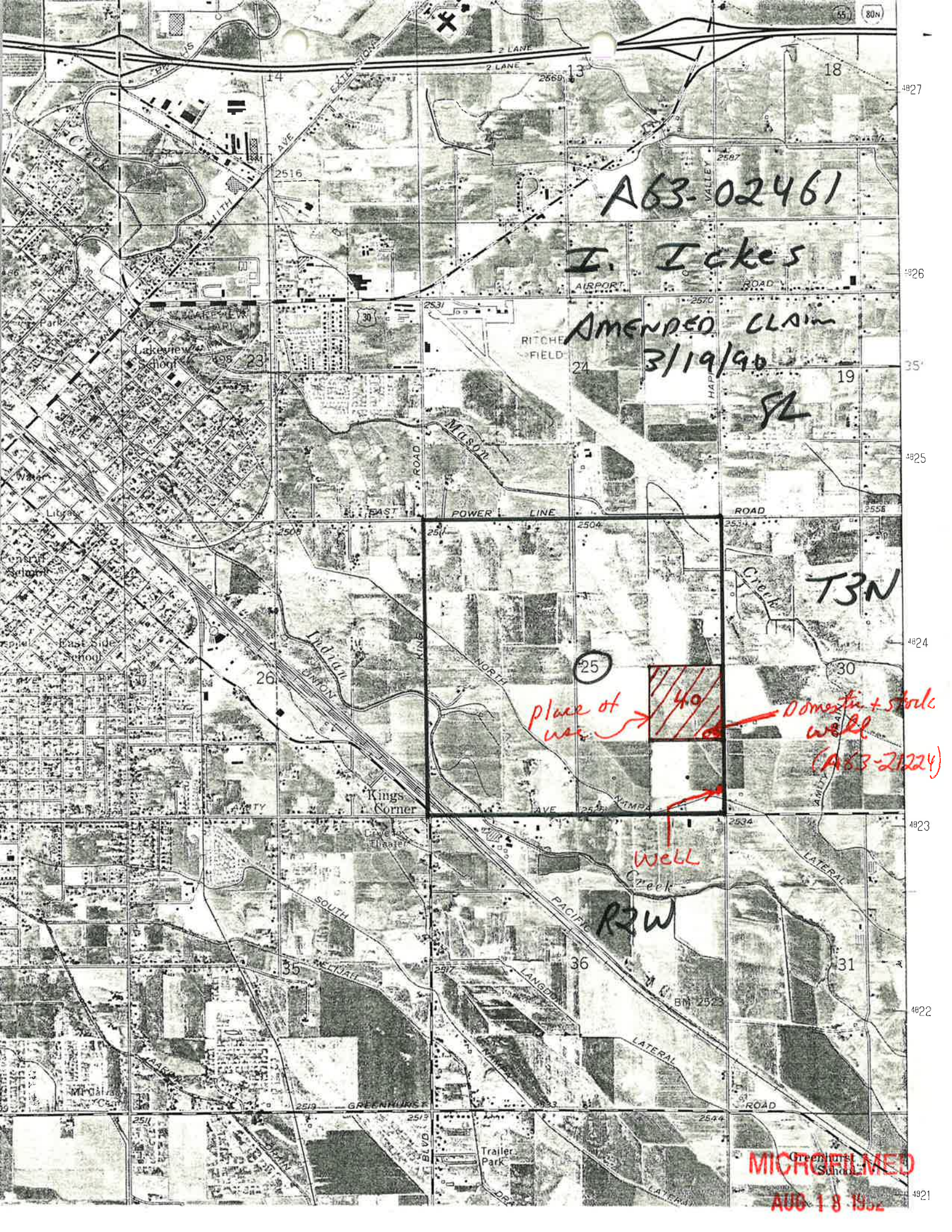
State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of March 1990

Dorothy L. Reese
Notary Public

Seal

Residing at Caldwell, Idaho
My Commission Expires 1-17-93



A63-02461

I. Ickes

AMENDED CLAIM
3/19/90

SL

T3N

R2W

place of use

Domestic + stock well
(A63-21224)

Well Creek

MICROFILMED
AUG 18 1964

3/90

This well has been used for thirteen years to irrigate my forty-four Acre farm. Nampa Third Ward (Ben Krajnik, representative) has used the well for the last two years, and then only slightly.

Original purchase of these water rights provided 1 inch per instead of the customary 5/8.

7½ H. P., single phase motor.

Ivy Ickes
Ivy Ickes

Claimant was
provided copy of
this amended claim.
Reviewed this with
this note attached; looks
like need to pursue ~~this~~
uses from this well. -86

MICROFILMED

AUG 18 1982

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

A63-02461

Date Received

2/26/90

Receipt Number

W009566

JK

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Ivy Iukes Phone () 466-0557
Mailing Address 411 S. Happy Valley Nampa, Id. Zip 83687

2. Date of Priority (Only one (1) per claim) Oct. 15, 1931

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3N Range 2W Section 25,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

8" casing

160' feet

well, pump, ditches for gravity irrigation

MICROFILMED

AUG 18 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .80 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 140 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2W	25													38			2	40

Total number of acres irrigated 40

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Nampa-Meridian Irrig Dist. + A63-21224 (domestic + stock well) or None ()

14. Remarks: Owner has well agreement to share well with Third Ward (pump no. is 619). License 03-02461 lists 40 acres in SESE S. 25 but historical use has been mostly NESE & 2 ac. in NESESE (see map). Other acres in SESE have not been irrigated from well except just recently (20 acres by Ben Krajnik). Map is also used for ~~A63-21224~~ A63-21224

Last Name Ickes Ident No. A63-02461

MICROFILMED
Copies: White - State, Yellow - Claimant
AUG 18 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above
Water-Union Irrig Dist. + AG-2-251 (land + stock)
(none)

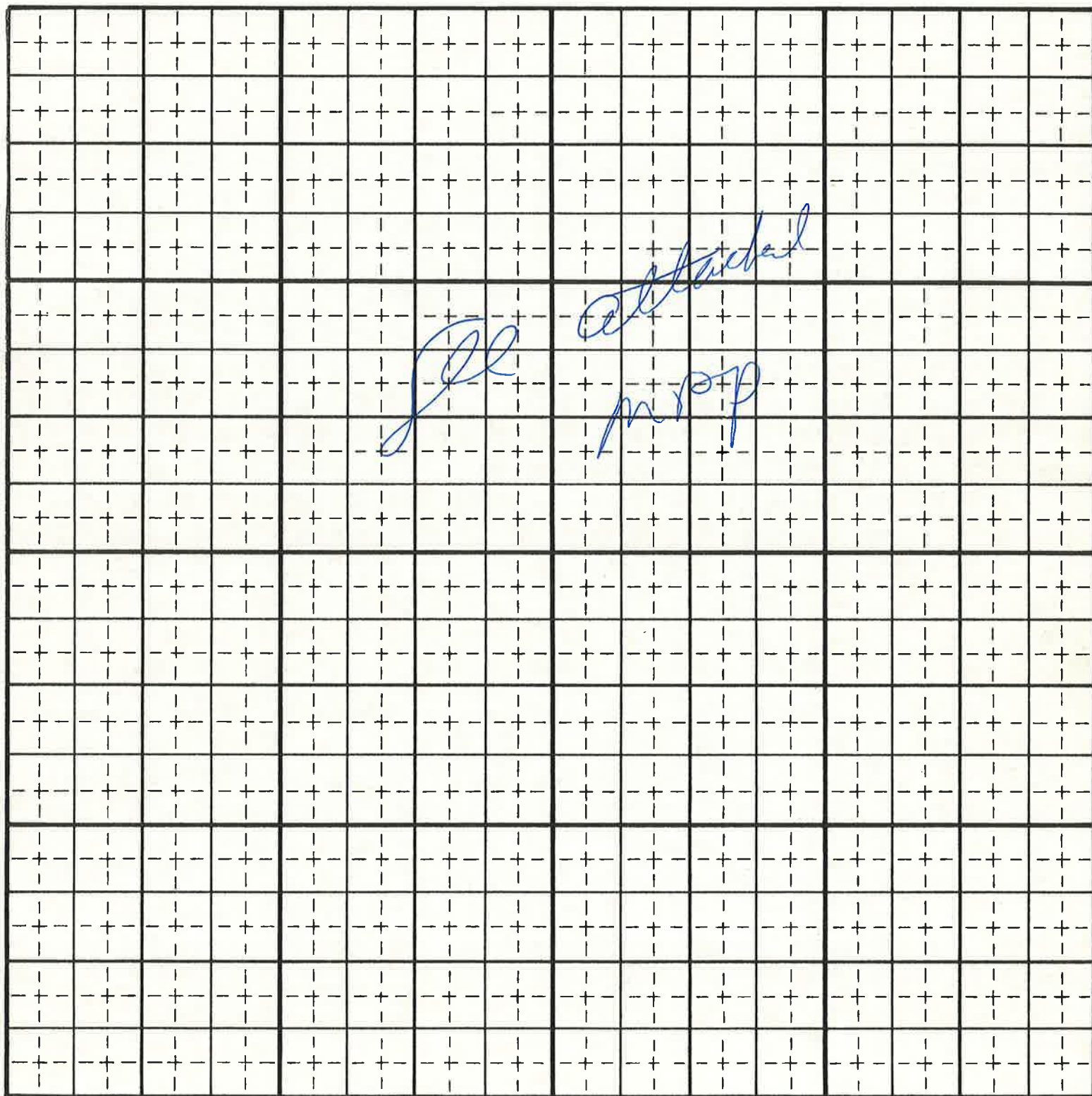
14. Remarks:
Owner has full agreement to share with Third Party
(group) who is 100% owner of 0.5 acres in 1988
2.24 Acre (100%) was the only water right in 1988
(see map of other water in 1988 but not included from well)
except first acre (100%) was in the (Knapok)

MICROFILMED AUG 18 1988

IDENT No. AG-0-251 Last Name Chen

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

Takes

Ident No.

A63-02461

Copies: White-State, Yellow-Claimant

MICROFILMED

AUG 18 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 63-02461

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) x [Signature] Date x 2/26/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho for Ada)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th day of Feb 19 90

SEAL

Notary Public [Signature]

Residing at Borise Id

My Commission Expires 9/15/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Ickes Ident. Number A63-02461

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 18 1992

License
63-02461

State of Idaho
License and Certificate of Water Right

Water License No. 17587
Water District No.

Amount 0.8 Sec. Ft.
Priority October 15, 1931

THIS IS TO CERTIFY that Mrs. T. O. Sommermeier of 1003 Sunset Blvd. Beverly Hills, Calif., made application for a permit to appropriate the public waters of the State of Idaho, dated October 15, 1931; that Permit No. 17587 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second feet, was issued thereunder on December 17, 1931, showing that said works were completed on the 16th day of December, 1931; and that on the 16th day of December, 1931,

Mrs. T. O. Sommermeier of Beverly Hills, State of California, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Subterranean, a tributary of, for the purpose of Irrigation and domestic use, under the Permit No. 17587 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 2714, on the 3rd day of January, 1933;

The right hereby confirmed dates from October 15, 1931;

The Point of Diversion is located in the SE 1/4 SE 1/4, Sec. 25, Tp. 3 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	2 W.	25	SE 1/4	40	40

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 3rd day of January, 1933

(SEAL)

R. W. FARIS
Commissioner of Reclamation

63-02461

MICROFILMED
AUG 18 1962

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: A63-02461
Date Received: 2/26/1990
Receipt No: W009566
Received By: DE JDL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IVY ICKES
Address: 411 S. HAPPY VALLEY
NAMPA, ID 83687
208-466-0557

2. Date of Priority: OCT 15, 1931

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02W	25	SE	SE	SE		CANYON

5. Description of diverting works:
160' WELL W/8" CASING, PUMP, DITCHES FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

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

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

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

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02W	25	NE	SE		IRR	38.0
			SE	SE		IRR	2.0
Section Acres							40.0

A63-02461

Page 1

Date: 03/09/90

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Total Acres 40.0

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:

NAMPA-MERIDIAN IRRIGATION DIST. & A63-21224 D/S

14. Remarks:

OWNER HAS WELL AGREEMENT TO SHARE WELL WITH THIRD WARD (PUMP NO. IS 619) LICENSE 63-02461 LISTS 40 ACRES IN SE SE, SEC. 25, BUT HISTORICAL USE HAS BEEN MOSTLY NE SE AND 2 ACRES IN NE SE SE (SEE MAP). OTHER ACRES IN SE SE HAVE NOT BEEN IRRIGATED FROM WELL EXCEPT JUST RECENTLY (20 ACRES BY BEN KRAJNIK). MAP IS ALSO USED FOR A63-21224.

15. Basis of Claim: LICENSE

Water Right Number: 17587

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 _____

Attachment 1

T3N
R2W
S.25

25

38

Domestic well and home
irrigation well

Irrigation

A63-02461

I does

Domestic

A63-21224

MICROFILMED

AUG 18 1982

A63-02461

State of Idaho
License and Certificate of Water Right

Attachment 2
(3 pgs)

Water License No. 17587
Water District No.

Amount 0.8 Sec. Ft.
Priority October 15, 1931

THIS IS TO CERTIFY that Mrs. T. G. Sommerer of 1003 Sunset Blvd. Beverly Hills, Calif., made application for a permit to appropriate the public waters of the State of Idaho, dated October 15, 1931; that Permit No. 17587 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second feet, was issued thereunder on December 17, 1931, showing that said works were completed on the 16th day of December, 1931; and that on the 16th day of December, 1931,

Mrs. T. G. Sommerer of Beverly Hills, State of California, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Subterranean, a tributary of, for the purpose of Irrigation and domestic use, under Use Permit No. 17587 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 2714, on the 3rd day of January, 1933;

The right hereby confirmed dates from October 15, 1931;

The Point of Diversion is located in the SE 1/4 SE 1/4, Sec. 25, Tp. 3 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	2 W.	25	SE 1/4	40	40

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 3rd day of January, 1933

(SEAL)

H. W. FARIS
Commissioner of Reclamation

63-2461

MICROFILMED

AUG 18 1954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17567

This project is for Beneficial Use

In Water District No.

1. Name of applicant Mrs. T. G. Schermer

2. Source of water supply Well-Subterranean

3. Location of point of diversion Is in the SE SE

of Section 25

T. 3 N. R. 2 E. S. 1 E. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same. *Shut-off pump 4" outlet, driven by General Electric motor (direct connected unit type) of 110 volts, 446 amperes, 60 cycle, 760 R.P.M. The well is 160' deep and cased at top with 8" casing.*

5. Water is used for: Irrigation and Domestic purposes

6. State whether or not water has been turned into works of diversion *yes*

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. Describe manner and place of use if for other than irrigation. *40 acres: SE SE, Section 25, Township 3 N., Range 2 East N. E., County of Canyon.*

(Submit map on attached plat, showing location and details of above description)

8. What large stream would the water here appropriated finally reach *none*

Remarks *Pump installation in inside a concrete lined sump 5' x 6' x 12' deep*

This examination was made on the

30th

day of April

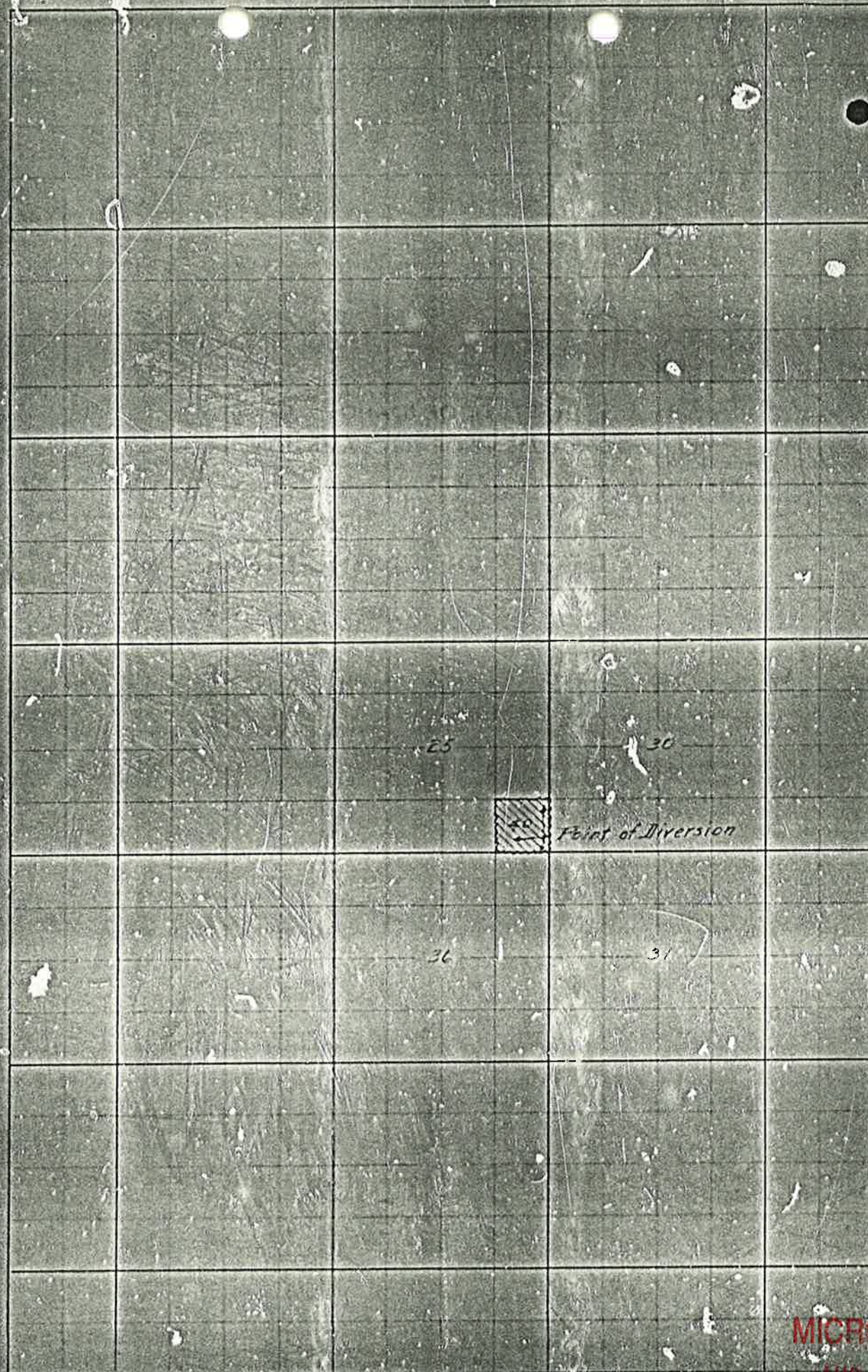
1932

(Signed)

E. H. Schermer
Examiner.

MICROFILMED

AUG 18 1962



SCALE: 1 INCH EQUALS 1 MILE. DRAW MAP IN INK.

175-87

MICROFILMED

AUG 1

INSTRUMENT NO 764771

WARRANTY DEED

For Value Received MILLARD W. ICKES, husband of Ivy J. Ickes,

the grantor, does hereby grant, bargain, sell and convey unto

IVY J. ICKES, wife of Millard W. Ickes,
Route 6, Nampa, Idaho
the grantee, the following described premises, situated in Canyon
County, State of Idaho, to-wit: An undivided one-half interest in:

The NE1/4 of the SE1/4 of Section 25, Twp. 3 N., R. 2 W., B.M.,
and a part of the SE1/4 of the SE1/4 of Section 25, Twp. 3 N.,
R. 2 W., B.M., in Canyon County, Idaho, more particularly
bounded and described as follows, to-wit:

Commencing at the Southeast corner of Section 25, said Twp.
and Range, and running thence North and along the East line
of said Sec. 25, 400.5 feet to the true point of beginning;
thence running West and at right angles to the East line
of said Sec. 25, a distance of 42.0 feet, thence running
North and parallel with the East line of said Sec. 25, a
distance of 265.5 feet; thence running West and at right
angles to the East line of said Sec. 25, a distance of
54.5 feet; thence running North and parallel with the East
line of said Sec. 25, a distance of 34.0 feet to a point on
the SWrly bank of the Hubbard Lateral, as the same is now
located and constructed; thence running NWrly and along the
SWrly bank of the Hubbard Lateral to the North line of the
SE1/4 of the SE1/4 of said Sec. 25; thence East along the North
line of the said SE1/4 of the SE1/4 a distance of 513.5 feet
more or less to the Northeast corner of the said SE1/4 of the
SE1/4 of Sec. 25, thence South along the East line of the
said SE1/4 of the SE1/4 of Sec. 25, 931.0 feet, more or less,
to the true point of beginning.

*Describes land East of lateral, Also
owns land West of lateral in NESE*

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
her heirs and assigns forever. And the said Grantor doth hereby covenant
to and with the said Grantee, that he is the owner in fee simple of said premises, that
said premises are free from all incumbrances, and is to be the sole and separate
property of the Grantee, free of any community property interest
of the Grantor.

and that he will warrant and defend the same from all lawful claims whatsoever.
Dated: November 28, 1975

Millard W. Ickes

STATE OF IDAHO, COUNTY OF CANYON
On this 28th day of November, 1975,
before me, a notary public in and for said State, personally
appeared
MILLARD W. ICKES, husband of
Ivy J. Ickes,
known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.
[Signature]
Notary Public
Residing at Caldwell, Idaho

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record
at the request of
at _____ minutes past _____ o'clock
this _____ day of _____
19 _____ in my office, and duly recorded in Book
of Deeds at page _____
By _____ Ex. Officio Recorder,
Deputy
Fees \$ _____
Mail to: _____

MICROFILMED

AUG 18 1986

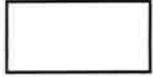
DATE: 04/14/99
PAGE: 1

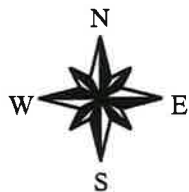
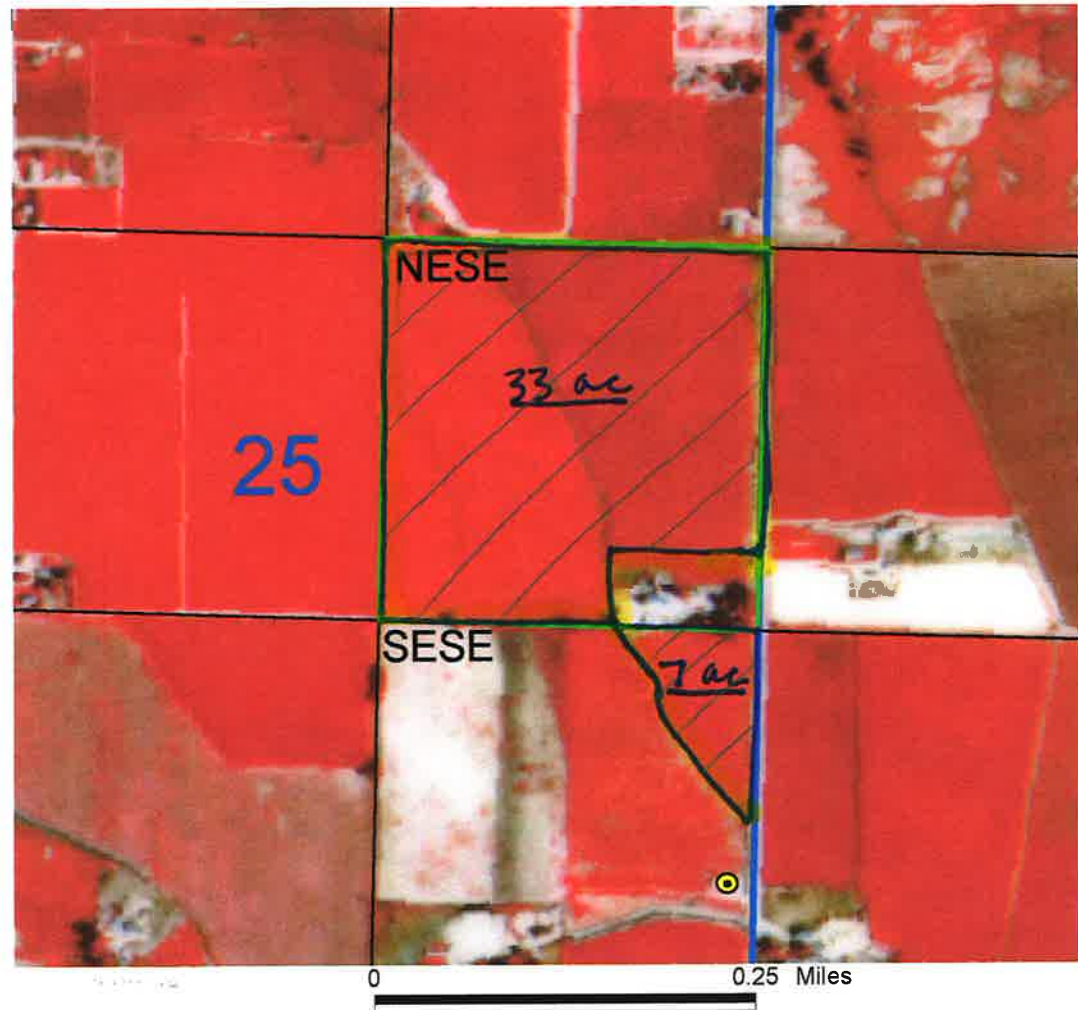
Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	

Idaho Department of Water Resources

Claim Number: 63-02461
Legal: T03N, R02W, S25
Reviewed By:

1987 Napp Photo

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



Receipt Details for ID W009566

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/26/1990 12:39:19 PM	2/26/1990	Western	\$115.00	Check
Payer	ICKES, IVY			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
542			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIMS

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$115.00	ADJUDICATION CLAIMS	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2461		\$90.00	Claim
63	21224		\$25.00	Claim

Print Report

Shurte, Jan

From: Shurte, Jan
Sent: Wednesday, April 21, 2010 3:13 PM
To: 'jklancast@comcast.net'
Subject: Water Right No. 63-2461
Attachments: img-421111119.pdf

Jerilyn,

Attached is a copy of the Partial Decree (actually Decreed) water right that was issued by the Snake River Basin Adjudication Court in 2009. It is called a Partial Decree only because the entire Snake River Basin Adjudication area's water rights are not all decreed yet.

Also attached is a copy of the water right from our database showing that it is a decreed right and in the water supply bank. Note the Basis is Decreed and the Status is Water Supply Bank Active. If a water right has been decreed in 2009 it has not been forfeited from non-use. During the adjudication of this area no water right could forfeit through non-use. Then, the water right was put in the Water Supply Bank which prevents forfeiture of that right due to non-use as long as it is in the bank. Once it comes out of the water supply bank, then the rule of forfeiture is 5 years of non use. I have also attached a copy of the database water right with the water supply bank comments just for your information.

As of this date this water right is considered to be an active decreed right. I have also attached the colored map used in our recommendation to the SRBA Court. It is a little busy, however, if you look close you can see the place of use for this right outlined in green in the NESE and SESE, Sec. 25. Hope this helps.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Regional Office
(208) 334-2190

03/31/2006

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

RIGHT NUMBER: 63-2461

NAME AND ADDRESS: JERILYN ICKES LANCASTER
196 ROAN DR
EUGENE OR 97401-5755

MILLARD W ICKES
21250 MIDLAND BLVD
CALDWELL ID 83605-7904

DEBRA ICKES LITTLE
1975 NW 167TH PL
BEAVERTON OR 97006-4829

PAMELA ICKES PETERSON
1617 SOUTH POWERLINE RD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.800 CFS
180.000 AFY

PRIORITY DATE: 10/15/1931

POINT OF DIVERSION:

T03N R02W S25 SESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.800 CFS 180.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S25	NESE	35.00	T03N R02W S25	SESE	5.00
---------------	------	-------	---------------	------	------

40 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

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

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2461

JERILYN ICKES LANCASTER
196 ROAN DR
EUGENE OR 97401-5755

MILLARD W ICKES
21250 MIDLAND BLVD
CALDWELL ID 83605-7904
Telephone Number: (208)454-3604

✓ DEBRA ICKES LITTLE
1975 NW 167TH PL
BEAVERTON OR 97006-4829

PAMELA ICKES PETERSON
1617 SOUTH POWERLINE RD
NAMPA ID 83686
Telephone Number: (208)465-5010

RECEIVED

NOV 01 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

✓ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10.20.06

SIGNATURE:

Debra Ickes Little

Please print your name:

Debra Ickes Little

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2461

JERILYN ICKES LANCASTER
196 ROAN DR
EUGENE OR 97401-5755

MILLARD W ICKES
21250 MIDLAND BLVD
CALDWELL ID 83605-7904
Telephone Number: (208)454-3604

DEBRA ICKES LITTLE
1975 NW 167TH PL
BEAVERTON OR 97006-4829

PAMELA ICKES PETERSON
1617 SOUTH POWERLINE RD
NAMPA ID 83686
Telephone Number: (208)465-5010

RECEIVED

OCT 23 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

10/16/06

SIGNATURE:

Pamela Ickes Peterson

Please print your name:

Pamela Ickes Peterson

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2461

JERILYN ICKES LANCASTER
196 ROAN DR
EUGENE OR 97401-5755

MILLARD W ICKES
21250 MIDLAND BLVD
CALDWELL ID 83605-7904
Telephone Number: (208)454-3604

DEBRA ICKES LITTLE
1975 NW 167TH PL
BEAVERTON OR 97006-4829

PAMELA ICKES PETERSON
1617 SOUTH POWERLINE RD
NAMPA ID 83686
Telephone Number: (208)465-5010

RECEIVED

OCT 28 2006

WATER RESOURCES
WESTERN REGION

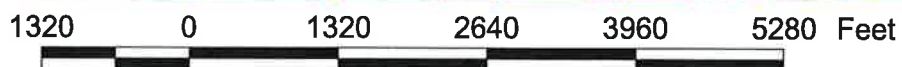
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Oct 23, 2006 SIGNATURE: Jerilyn Lancaster
Please print your name: Jerilyn Lancaster



T3N R2W SECTION 25
Water Right (s): 63-2461



TOTAL IRRIGATED ACRES = 40



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

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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2461

03/31/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-10250	Claim	03N	02W	25	SE	SE		GROUND WATER	ERNEST ETCHECHOURY
63-20369	Claim	03N	02W	25	SE	SE		GROUND WATER	BEN T KRAJNIK
63-20375	Claim	03N	02W	25	SE	SE		GROUND WATER	KAREN J KRAJNIK
63-2461	Claim	03N	02W	25	SE	SE		GROUND WATER	JERILYN ICKES LANCASTER
63-2461	Water Right	03N	02W	25	SE	SE		GROUND WATER	MRS T G SOMERMEIER
63-10250	Water Right	03N	02W	25	SE	SE		GROUND WATER	LOUANN ETCHECHOURY

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A.

ATTORNEYS AT LAW

KEVIN E. DINIUS
JULIE KLEIN FISCHER
WM. F. GIGRAY, III
T. GUY HALLAM, JR.*
JILL S. HOLINKA
D. SAMUEL JOHNSON
WILLIAM A. MORROW
WILLIAM F. NICHOLS*

CANYON PARK AT THE IDAHO CENTER
5700 EAST FRANKLIN ROAD, SUITE 200
NAMPA, IDAHO 83687-7901
TEL (208) 466-9272
FAX (208) 466-4405
October 8, 2003

CHRISTOPHER S. NYE
PHILIP A. PETERSON
ERICA S. PHILLIPS
ERIC S. ROSSMAN
TODD A. ROSSMAN
TERRENCE R. WHITE**
NICHOLAS L. WOLLEN

*ALSO ADMITTED IN OR

**ALSO ADMITTED IN WA

PHILIP A. PETERSON
Post Office Box 247
Nampa, Idaho 83633-0247

Cellular telephone: (208) 724-6649
E-mail via Internet: pap@whitepeterson.com

Ms. Lori Graves
Senior Water Resource Agent
IDAHO DEPARTMENT OF WATER RESOURCES ("IDWR")
2735 Airport Way
Boise, Idaho (ID) 83705-5082

Re: Water Right Number **63-2461**

Dear Lori:

Enclosed are Amended Claims verified by each of the four successor claimants with respect to the above-referenced water right. Also enclosed are your Memorandum dated March 15, 2002, and the attachments thereto which you had sent to me with a previous Amended Claim draft; I understand these will be attached to the verified Amended Claims when they are filed. The annotated aerial photograph may need to be redone, since the large and small parcels are 35 acres and 5 acres, respectively, as reflected in the most recent revision of the Amended Claims.

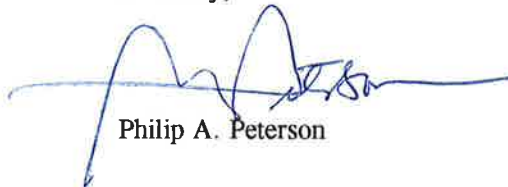
Please compile the necessary attachments for the Amended Claims and make the required adjudication filing. **Please send me a conformed copy of the filed documents which shows the court's file stamp.**

It is my understanding that you will be refunding the filing fee previously paid to IDWR in connection with the Application for Transfer of Water Right filed with IDWR July 31, 2001.

If you have any questions, please do not hesitate to call.

Thanks very much.

Sincerely,



Philip A. Peterson

Enclosures

Copy to: Jerilyn Lancaster (w/o encs.)
Pamela Peterson (w/o encs.)
Debra Little (w/o encs.)
Millard Ickes (w/o encs.)

RECEIVED

OCT 09 2003

WATER RESOURCES
WESTERN REGION

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A.

ATTORNEYS AT LAW

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5700 EAST FRANKLIN ROAD, SUITE 200

NAMPA, IDAHO 83687-7901

TEL (208) 466-9272

FAX (208) 466-4405

August 27, 2003

RECEIVED

AUG 28 2003

WATER RESOURCES
WESTERN REGION

CHRISTOPHER S. NYE
PHILIP A. PETERSON
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ERIC S. ROSSMAN
TODD A. ROSSMAN
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NICHOLAS L. WOLLEN

**ALSO ADMITTED IN WA

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JULIE KLEIN FISCHER
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D. SAMUEL JOHNSON
WILLIAM A. MORROW
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*ALSO ADMITTED IN OR

PHILIP A. PETERSON
Post Office Box 247
Nampa, Idaho 83653-0247

Cellular telephone: (208) 724-6649
E-mail via Internet: pap@whitepeterson.com

Ms. Lori Graves
Senior Water Resource Agent
IDAHO DEPARTMENT OF WATER RESOURCES ("IDWR")
2735 Airport Way
Boise, Idaho (ID) 83705-5082

Re: Water Right Number 63-2461

Dear Lori:

Thank you for sending for review the Amended Claim for the above-referenced Water Right Number. I have annotated the Amended Claim with changes as we discussed by telephone, and it is returned herewith for revision. Specifically, revisions are as follows:

- Paragraph 1: Please make the indicated changes to addresses and telephone numbers. Also, below each name and above the respective addresses, please insert a line stating, "CO-TENANT IN COMMON, AS SOLE AND SEPARATE PROPERTY" to reflect the specific legal interest of each claimant.
- Paragraph 10: Please change the place of use irrigation acres as indicated to be consistent with the previous transfer to the Idaho Water Supply Bank and the number of irrigable acres in the retained property, 35 and 5, respectively.
- Paragraph 12: Please add the footnote indicated regarding ownership of the real property listed as the place of use for the water rights.
- Paragraph 16: Please supply five (5) copies of the form "How you will receive notice in the Snake River Basin Adjudication" mentioned in the paragraph. Also, please change the signature/notary area to provide

Lori Graves
August 27, 2003
Page 2 of 2

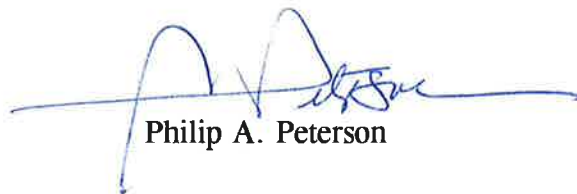
for each of the four claimants to sign individually and provide for separate notaries. Please note that two of the notary attestations will be in Oregon, while the other two will be in Idaho, and alter the format accordingly for the Oregon notaries. Only one signature line is necessary for each claimant, since the interest in the property is owned, in each instance, as the claimant's sole and separate property.

After the revisions have been made, please return the Amended Claim to me, and I will obtain the notarized signatures of each of the claimants.

It is my understanding that, after the Amended Claim is filed, the \$100.00 filing fee previously paid to IDWR will be refunded.

Thanks very much for your continued assistance and cooperation.

Sincerely,



Philip A. Peterson

Enclosures

Copy to: Jerilyn Lancaster (w/o encls.)
Pamela Peterson (w/o encls.)
Debra Little (w/o encls.)
Millard Ickes (w/o encls.)
L. Glen Saxton, IDWR (w/o encls.)

PO Box 247
Nampa 83653-0247

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A.

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D. SAMUEL JOHNSON
WILLIAM A. MORROW
WILLIAM F. NICHOLS*

*ALSO ADMITTED IN OR

August 13, 2003

**ALSO ADMITTED IN WA

PHILIP A. PETERSON
Post Office Box 247
Nampa, Idaho 83653-0247

Cellular telephone: (208) 724-6649
E-mail via Internet: pap@whitepeterson.com

Daniel A. Nelson
Water Resource Agent
IDAHO DEPARTMENT OF WATER RESOURCES ("IDWR")
2735 Airport Way
Boise, Idaho (ID) 83705-5082

RECEIVED

AUG 14 2003

WATER RESOURCES
WESTERN REGION

Re: Water Right Number 63-2461

Dear Dan:

We represent the current owners of the above-referenced water right, Jerilyn Ickes Lancaster, Pamela Ickes Peterson (formerly Pamela Ickes Allen), Debra Ickes Little, and Millard W. Ickes, as co-tenants in common.

On July 31, 2001, an Application for Transfer of Water Right ("Application") was submitted to IDWR. A copy of the Application is enclosed for your reference. At that time, the water right and the associated real property were held by the Estate of Ivy J. Ickes, deceased. Since that time, the estate has been distributed to the devisees of Ivy Ickes, and one subsequent conveyance has been made, so that the current owners are the persons listed in paragraph one, above. I am enclosing copies of deeds which document these conveyances. **Please update your file accordingly.**

At the same time that the Application referred to in the previous paragraph was submitted, application was also made for a transfer of the remainder of the water right to the Idaho Water Supply Bank through L. Glen Saxton at the Orchard Street office of IDWR. That transfer was approved and completed, so a portion of the above-referenced water right is now in the Idaho Water Supply Bank. **Please advise the Orchard Street office of IDWR of the change of ownership to the parties set forth in paragraph one, above, and provide copies of the enclosed documentation, as needed, to update that file.**

Daniel A. Nelson
August 13, 2003
Page 2 of 2

Please send all future correspondence from IDWR concerning the Application or the rights held by the Idaho Water Supply Bank to my attention at this office, rather than to the Estate of Ivy J. Ickes, which no longer holds an interest in the water rights.

Please advise as to the status of the processing of the Application.

Thanks very much.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip A. Peterson', with a long horizontal flourish extending to the right.

Enclosures

Copy to: Jerilyn Lancaster (w/o encs.)
Pamela Peterson (w/o encs.)
Debra Little (w/o encs.)
Millard Ickes (w/o encs.)
L. Glen Saxton, IDWR (w/o encs.)

INSTRUMENT NO. 200133718

PERSONAL REPRESENTATIVE DEED

THIS DEED is made and executed by CONNIE JOHNSON, as personal representative of THE ESTATE OF IVY J. ICKES, DECEASED, sometimes hereinafter referred to as the "Grantor," to JERILYN LANCASTER, a married woman dealing with her sole and separate property, whose address is 196 Roan Drive, Eugene, Oregon 97401-5755, PAMELA ALLEN, an unmarried woman, whose address is 404 West Colorado Avenue, Nampa, Idaho 83686-2813, CONNIE JOHNSON, a married woman dealing with her sole and separate property, whose address is Post Office Box 643, McCall, Idaho 83638-0643, and DEBRA LITTLE, a married woman dealing with her sole and separate property, whose address is 1260 Northwest Waterhouse Avenue, Suite 100, Beaverton, Oregon 97006-5794, as equal co-tenants in common, hereinafter collectively referred to as the "Grantees."

WHEREAS, Connie Johnson is the qualified personal representative of said estate, filed as Probate Case Number SP99-799 in the District Court of the Third Judicial District of the State of Idaho, in and for the County of Canyon (sometimes hereinafter the "Estate"), her Letters Testamentary having been recorded June 14, 2001, as Instrument Number 200123465, records of Canyon County, Idaho; and

WHEREAS, Grantees are all the children of the decedent, the heirs of her estate, and all the devisees of her estate with respect to the real property herein conveyed;

NOW, THEREFORE, in accordance with the provisions of the Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor Estate hereby grants, transfers and conveys to Grantees all of Grantor Estate's interest in the following real property situated in Canyon County, Idaho, and more particularly described as:

See Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

This conveyance includes all water rights heretofore running with the land, including, *inter alia*, the following rights:

All water rights obtained pursuant to that certain Well Agreement and Easement recorded January 16, 1973, as Instrument Number 699086 records of Canyon County, Idaho, and pursuant to Idaho Department of Water Resources (IDWR) Water Right/License

COPY

Number 17587 and to Claim Identification Number A63-02461, filed 2/26/1990, Receipt Number W009566, in the case entitled In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System filed in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, Civil Case Number 39576, which water rights have a priority date of October 15, 1931.¹

This conveyance also includes any and all appurtenances, tenements, hereditaments, reversions, remainders, easements,² and rights-of-way in any way appertaining to the property herein described and is subject to outstanding taxes and assessments and liens, encumbrances, covenants, conditions, restrictions and easements of record.

The property described in this conveyance shall be the separate property of each of the Grantees, and, in accordance with the provisions of Idaho Code § 32-906(1), all income, rents, issues, profits, gains and appreciation of said property shall be the separate property of each of the Grantees.

Grantees shall have equal undivided interests, as tenants in common, in the property described in this conveyance.

Grantor executes this instrument solely in her fiduciary capacity and covenants only that she is authorized to make this conveyance in such fiduciary capacity and that against all persons lawfully claiming through or under Grantor, and not otherwise, Grantor will forever warrant and defend the title to the aforescribed real property. Grantor hereby disclaims any and all other warranties and covenants, whether express or implied. Any further recourse hereunder is to be only against the aforementioned Estate.

¹This is a 0.80 cfs water right which was formerly appurtenant to real property adjacent to and contiguous with the real property being conveyed hereby, but which was reserved by Grantor herein upon the conveyance of said adjacent contiguous property. Prior to the conveyance being made hereby, application was made to the IDWR by Grantor herein to transfer a portion of the said 0.80 cfs water right to the real property being conveyed herein and the remaining portion to the Idaho Water Supply Bank pursuant to Idaho Code § 42-1761 *et seq.* At the time of the conveyance made herein, IDWR had not yet acted upon the applications. Nevertheless, it is the intent of the Grantor herein that Grantees be conveyed hereby all right, title and interest in and to the said 0.80 cfs water right and the benefits and burdens associated with the pending applications for transfer currently before the IDWR.

²Said easements specifically include, *inter alia*, the easement associated with the water rights specifically described above, as set forth in the aforescribed Well Agreement and Easement Agreement dated January 16, 1973, recorded as Instrument Number 699086 records of Canyon County, Idaho.

DATED this 15th day of August, 2001.

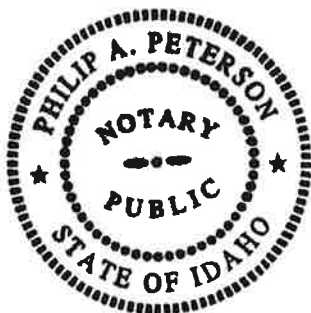
Connie Johnson
Connie Johnson
Personal Representative of the
Estate of Ivy J. Ickes, deceased

Attachment: Exhibit A

NOTARIAL ATTESTATION

STATE OF IDAHO)
County of Canyon) :SS

On this 15th day of August, 2001 before me, a notary public, personally appeared CONNIE JOHNSON, known to me to be the person whose name is subscribed to the foregoing Personal Representative Deed as personal representative of the Estate of Ivy J. Ickes, deceased, and acknowledged to me that she executed the same as such personal representative.



(SEAL)

Philip A. Peterson
Notary Public for Idaho
Commission expires: 10-21-05



Project: 40233
Date: June 5, 2001

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

217 W. Georgia Avenue, Suite 120
Nampa, Idaho 83686
(208) 467-5252
Fax (208) 467-6631

DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
IN THE E $\frac{1}{2}$ SE $\frac{1}{4}$, SECTION 25,
T.3N., R.2W., B.M.,
CANYON COUNTY, IDAHO

A portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 25, T.3N., R.2W., B.M., Canyon County, Idaho,
more particularly described as follows:

Commencing at the Southeast corner of Section 25, T.3N., R.2W., B.M. and running
N. $0^{\circ}12'00''$ E. 666.00 feet along the Easterly boundary of said Section 25 to the TRUE POINT
OF BEGINNING;

thence continuing N. $0^{\circ}12'00''$ E. 664.36 feet along said Easterly boundary of
Section 25 to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25;

thence continuing N. $0^{\circ}12'00''$ E. 188.19 feet along said Easterly boundary of
Section 25 to a point;

thence N. $88^{\circ}59'36''$ W. 543.00 feet to a point;

thence S. $4^{\circ}49'26''$ E. 172.58 feet to a point on the Southwesterly bank of the Hubbard
Lateral;

thence along said Southwesterly bank of the Hubbard Lateral the following courses and
distances:

S. $59^{\circ}45'03''$ E. 8.85 feet to a point;

thence S. $34^{\circ}54'54''$ E. 17.92 feet to a point on the Northerly boundary of the said SE
 $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25, said point being N. $89^{\circ}15'27''$ W. 509.88 feet from the said Northeast
corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25;

thence continuing S. $34^{\circ}54'54''$ E. 14.82 feet to a point;

thence S. $22^{\circ}26'58''$ E. 28.83 feet to a point;

thence S. $37^{\circ}43'10''$ E. 89.19 feet to a point;

thence S. $45^{\circ}01'22''$ E. 19.53 feet to a point;

thence S. $39^{\circ}11'32''$ E. 62.37 feet to a point;

thence S. $28^{\circ}44'41''$ E. 96.08 feet to a point;





Engineers Surveyors Planners

Project: 40233
Date: June 5, 2001
DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
Page 2

thence S. 15°51'49" E. 58.47 feet to a point;

thence S. 21°20'06" E. 42.68 feet to a point;

thence S. 31°44'29" E. 48.88 feet to a point;

thence S. 35°12'54" E. 108.74 feet to a point;

thence S. 38°30'12" E. 189.13 feet to a point;

thence leaving said Southwesterly bank of the Hubbard Lateral S. 0°12'00" W. 40.49 feet (formerly described as 34 feet) along a line parallel with and 96.50 feet Westerly from the said Easterly boundary of Section 25 to a point;

thence S. 89°48'00" E. 96.50 feet (formerly described as 96.5 feet) to the Point of Beginning.

Containing 6.86 acres, more or less.

SUBJECT TO:

Existing rights-of-way and easements of record and/or appearing on said above described parcel.

Prepared by:

J-U-B ENGINEERS, Inc.

2001 AUG 17 PM 4 03
G NOEL HALE
CANYON CNTY RECORDER
BY
REQUEST
DEED
15.00



Dennis A. King, P.L.S.

DAK:dle

RECORDED

40233\Legaldes\JnsnLttlDesc

200133718

Exhibit A — Page 2 of 2



200348439

RECORDED

2003 AUG 4 PM 4 29

G NOEL HALES
CANYON CNTY RECORDERBY *John Hales*RECEIVED
TYPE *Quit* FEE *15.00*

QUITCLAIM DEED

CONNIE JOHNSON, also known as CONNIE ICKES, an unmarried person dealing with her sole and separate property, (hereinafter "Grantor") of Post Office Box 643, McCall, Idaho 83638-0643, does by these presents remise, release and forever quitclaim unto MILLARD W. ICKES, a married person, (hereinafter "Grantee") of 21250 Midland Boulevard, Caldwell, Idaho 83605-7904, as his sole and separate property, and to Grantee's heirs and assigns, all right, title and interest which Grantor has **(being a one-fourth (1/4) tenant in common interest) in certain real property situated in Canyon County, Idaho, more particularly described in Exhibit A, attached hereto and incorporated herein by this reference.**

This conveyance includes Grantor's right, title and interest in and to all water rights heretofore running with the land, including, *inter alia*, the following rights:

All water rights obtained pursuant to that certain Well Agreement and Easement recorded January 16, 1973, as Instrument Number 699086 records of Canyon County, Idaho, and pursuant to Idaho Department of Water Resources (IDWR) Water Right/License Number 17587 and to Claim Identification Number A63-02461, filed 2/26/1990, Receipt Number W009566, in the case entitled *In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System* filed in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, Civil Case Number 39576, which water rights have a priority date of October 15, 1931.¹

¹This is a 0.80 cfs water right which was formerly appurtenant to real property adjacent to and contiguous with the real property being conveyed hereby, but which was reserved by Grantor's predecessor in interest upon the conveyance of said adjacent contiguous property to a third party. Prior to the conveyance being made hereby, application was made to the IDWR by Grantor's predecessor in interest to transfer a portion of the said 0.80 cfs water right to the real property being conveyed herein and the remaining portion to the Idaho Water Supply Bank pursuant to Idaho Code § 42-1761 *et seq.* At the time of the conveyance made herein, IDWR had not yet acted upon the application for the transfer of water right to the real property being conveyed herein. Nevertheless, it is the intent of the Grantor herein that Grantee be conveyed hereby all right, title and interest of Grantor in and to the said 0.80 cfs water right, both as to the portion currently with the Idaho Water Supply Bank and the benefits and burdens associated with the pending application for transfer currently before the IDWR.

COPY

This conveyance also includes any and all appurtenances, tenements, hereditaments, reversions, remainders, easements,² and rights-of-way in any way appertaining to the property herein described and is subject to outstanding taxes and assessments and liens, encumbrances, covenants, conditions, restrictions and easements of record.

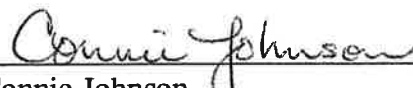
The property described in this conveyance shall be the separate property of Grantee, and, in accordance with the provisions of Idaho Code § 32-906(1), all income, rents, issues, profits, gains and appreciation of said property shall be the separate property of Grantee.

Grantee shall have an undivided interest, as a tenant in common, in the property described in this conveyance.

This conveyance is made in complete payment of all principal and interest accrued on all currently outstanding debts owed by Grantor to Grantee, including, but not necessarily limited to, amounts owed on that certain Promissory Note in the face amount of \$29,000.00 with Craig Johnson and Grantor herein as makers thereof, and that certain Promissory Note in the face amount of \$5,000.00 (with subsequent further advances thereon of \$12,000.00, for a total outstanding principal balance of \$17,000.00, plus accrued interest) with Grantor herein as the maker thereof. Grantee, by accepting delivery of this Quitclaim Deed and recording the same in the records of Canyon County, Idaho, accepts this conveyance as payment in full of all said debts, including both principal and interest thereon.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances thereto, unto Grantee, and to Grantee's heirs and assigns forever.

DATED this 1st day of August, 2003.



Connie Johnson
(also known as Connie Ickes)

Attachment: Exhibit A

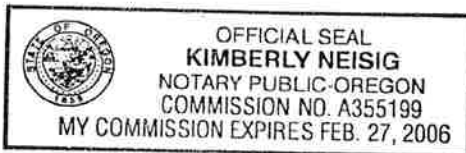
²Said easements specifically include, *inter alia*, the easement associated with the water rights specifically described above, as set forth in the aforescribed Well Agreement and Easement Agreement dated January 16, 1973, recorded as Instrument Number 699086 records of Canyon County, Idaho.

NOTARIAL ATTESTATION

OREGON
STATE OF ~~IDAHO~~)
County of Multnomah) :SS

On this 1st day of August, 2003 before me, a notary public, personally appeared CONNIE JOHNSON, also known as CONNIE ICKES, known to me to be the person whose name is subscribed to the foregoing Quitclaim Deed, and acknowledged to me that she executed the same.

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



Kimberly Neisig
Notary Public for ~~Idaho~~ Oregon
Commission expires: Feb. 27, 2006

(SEAL)



Project: 40233
Date: June 5, 2001

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

217 W. Georgia Avenue, Suite 120
Nampa, Idaho 83686
(208) 467-5252
Fax (208) 467-6631

DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
IN THE E $\frac{1}{2}$ SE $\frac{1}{4}$, SECTION 25,
T.3N., R.2W., B.M.,
CANYON COUNTY, IDAHO

A portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 25, T.3N., R.2W., B.M., Canyon County, Idaho,
more particularly described as follows:

Commencing at the Southeast corner of Section 25, T.3N., R.2W., B.M. and running
N. $0^{\circ}12'00''$ E. 666.00 feet along the Easterly boundary of said Section 25 to the TRUE POINT
OF BEGINNING;

thence continuing N. $0^{\circ}12'00''$ E. 664.36 feet along said Easterly boundary of
Section 25 to the Northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25;

thence continuing N. $0^{\circ}12'00''$ E. 188.19 feet along said Easterly boundary of
Section 25 to a point;

thence N. $88^{\circ}59'36''$ W. 543.00 feet to a point;

thence S. $4^{\circ}49'26''$ E. 172.58 feet to a point on the Southwesterly bank of the Hubbard
Lateral;

thence along said Southwesterly bank of the Hubbard Lateral the following courses and
distances:

S. $59^{\circ}45'03''$ E. 8.85 feet to a point;

thence S. $34^{\circ}54'54''$ E. 17.92 feet to a point on the Northerly boundary of the said SE
 $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 25, said point being N. $89^{\circ}15'27''$ W. 509.88 feet from the said Northeast
corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25;

thence continuing S. $34^{\circ}54'54''$ E. 14.82 feet to a point;

thence S. $22^{\circ}26'58''$ E. 28.83 feet to a point;

thence S. $37^{\circ}43'10''$ E. 89.19 feet to a point;

thence S. $45^{\circ}01'22''$ E. 19.53 feet to a point;

thence S. $39^{\circ}11'32''$ E. 62.37 feet to a point;

thence S. $28^{\circ}44'41''$ E. 96.08 feet to a point;





Engineers Surveyors Planners

Project: 40233
Date: June 5, 2001
DESCRIPTION FOR
CONNIE JOHNSON AND DEBI LITTLE
Page 2

thence S. 15°51'49" E. 58.47 feet to a point;

thence S. 21°20'06" E. 42.68 feet to a point;

thence S. 31°44'29" E. 48.88 feet to a point;

thence S. 35°12'54" E. 108.74 feet to a point;

thence S. 38°30'12" E. 189.13 feet to a point;

thence leaving said Southwesterly bank of the Hubbard Lateral S. 0°12'00" W. 40.49 feet (formerly described as 34 feet) along a line parallel with and 96.50 feet Westerly from the said Easterly boundary of Section 25 to a point;

thence S. 89°48'00" E. 96.50 feet (formerly described as 96.5 feet) to the Point of Beginning.

Containing 6.86 acres, more or less.

SUBJECT TO:

Existing rights-of-way and easements of record and/or appearing on said above described parcel.

Prepared by:

J-U-B ENGINEERS, Inc.



Dennis A. King, P.L.S.

DAK:dle

40233\Legaldes\JnsnLttlDesc



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2461

WATER RIGHT NUMBER: 63-2461

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IVY ICKES 404 W COLORADO AVE NAMPA, ID 83686-2813 (208)465-5010
Original Owner	MRS T G SOMERMEIER 1003 SUNSET BLVD BEVERLY HILLS, CA
Attorney	PHILIP A PETERSON WHITE PETERSON PA PO BOX 247 NAMPA, ID 83653-0247 (208)466-9272
Current Owner	JERILYN ICKES LANCASTER 196 ROAN DR EUGENE, OR 97401-5755
Current Owner	MILLARD W ICKES 21250 MIDLAND BLVD CALDWELL, ID 83605-7904 (208)454-3604
Current Owner	DEBRA ICKES LITTLE 1975 NW 167TH PL BEAVERTON, OR 97006-4829
Current Owner	PAMELA ICKES PETERSON 404 W COLORADO NAMPA, ID 83686-2813

Priority Date: 10/15/1931

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To
3/15 to 11/15

Diversion Rate

0.800 CFS

Annual VolumeTotal Diversion:

0.800 CFS

180 afa

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SE1/4SE1/4SE1/4

Sec. 25, Twp 03N, Rge 02W, B.M.

Place of Use

IRRIGATION

acc trp in PCU-1017 per statement from Ivy Ickes

$(40)(4.5) = 180 \text{ afa}$ or $(.8)(1.4835) 200 = 412.56 \text{ afa}$

Twp	Rge	Sec	NE	NW	SW	SE	Totals					
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

005 acc trp in PCU

~~SOH SHOULDER~~

W514 MID

no
3/1 - ~~no~~ shoulder remark
you not licensed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2461

03N 02W 25					35.0	5.0	40.0
Total Acres: 40							

Conditions of Approval:

1. Note regarding POU ownership response: At the time of the filing of the original claim to which this amendment applies, Ivy Ickes, the original claimant (now deceased), owned all 40 acres listed above as the place of use. Since that time, 35 of the acres listed as the place of use (those in the NE1/4SE1/4) have been conveyed to Nampa School District #131; but claimants herein retained the water rights for the 35 acres conveyed and those rights were, in turn, transferred by claimants to the Idaho Water Supply Bank in 2001, where they are still held in claimants account. Claimants still own the five-acre irrigated real property listed above (the portion of the real property in the SE1/4SE1/4).
2. Claim amended per claimant request. 8/26/03
3. OWNER HAS WELL AGREEMENT TO SHARE WELL WITH THIRD WARD (PUMP NO. IS 619). LICENSE 63-02461 LISTS 40 ACRES IN SE SE, SEC. 25, BUT HISTORICAL USE HAS BEEN IN NE SE AND SE SE. ACRES IN SESE HAVE NOT BEEN IRRIGATED FROM WELL FOR MANY YEARS EXCEPT RECENTLY (20 ACRES BY BEN KRAJNIK). THUS, THE 20 ACRES IN SESE MAY NOT HAVE PROTECTION UNDER THIS RIGHT. MAP ALSO USED FOR A63-21224.
| ADDRESS CHANGE BY CLAIMANT LETTER 4/14/1999 SS.

Remarks:

Comments:

Water Supply Bank:

Lessor Name: MILLARD W ICKES
 Lease Status: Active
 Lease Amount: Part
 Rental Availability: All
 Date Received: 7/31/2001
 Lease Begin Date: 1/1/2002
 Expiration Date:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2461

WATER RIGHT NUMBER: 63-2461

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MRS T G SOMERMEIER 1003 SUNSET BLVD BEVERLY HILLS, CA

Priority Date: 10/15/1931

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 25, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02W	25																	40.0
																			40.0

Total Acres: 40

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

MEMORANDUM

DATE: 10/29/03

FROM: Lori Graves

TO: Debbie Allen

RE: Refund

Hi Debbie, please refund \$100 paid per receipt no.W028104 to:

Ickes Sisters' Account

And send to %Philip A. Peterson
WHITE PETERSON
PO Box 247
Nampa ID 83653-0247

The application for transfer was replaced with amended SRBA claim 63-2461 prior to advertising. Please see the attached letter from the Estate attorney dated 10/28/03 for further information.

Thank you.

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A.

ATTORNEYS AT LAW

KEVIN E. DINIUS
JULIE KLEIN FISCHER
CHRISTOPHER D. GABBERT
WM. F. GIGRAY, III
T. GUY HALLAM, JR.*
JILL S. HOLINKA
D. SAMUEL JOHNSON
WILLIAM A. MORROW
WILLIAM F. NICHOLS*

CANYON PARK AT THE IDAHO CENTER
5700 EAST FRANKLIN ROAD, SUITE 200
NAMPA, IDAHO 83687-7901
TEL (208) 466-9272
FAX (208) 466-4405

October 28, 2003

RECEIVED

OCT 29 2003

WATER RESOURCES
WESTERN REGION

CHRISTOPHER S. NYE
PHILIP A. PETERSON
ERICA S. PHILLIPS
ERIC S. ROSSMAN
TODD A. ROSSMAN
TERRENCE R. WHITE**
NICHOLAS L. WOLLEN

**ALSO ADMITTED IN WA

*ALSO ADMITTED IN OR

PHILIP A. PETERSON
Post Office Box 247
Nampa, Idaho 83653-0247

Cellular telephone: (208) 724-6649
E-mail via Internet: pap@whitepeterson.com

Ms. Lori Graves
Senior Water Resource Agent
IDAHO DEPARTMENT OF WATER RESOURCES ("IDWR")
2735 Airport Way
Boise, Idaho (ID) 83705-5082

Re: Water Right Number **63-2461**

Dear Lori:

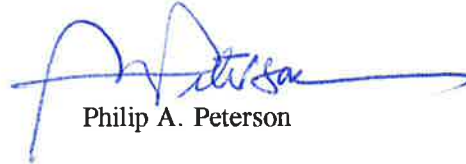
Thank you for the conformed copies of the Amended Claims filed with IDWR in the above-referenced matter.

Regarding the refund of the fee for the Application for Transfer of Water Rights which the Amended Claims replace, the original remitter of the fee, the Estate of Ivy J. Ickes, deceased, has been closed, and the remaining estate property distributed to the estate's residuary devisees, Ivy's four daughters. Accordingly, the check for the refund of the fee should be made payable to **Ickes Sisters' Account** and sent:

% Philip A. Peterson
WHITE PETERSON
Post Office Box 247
Nampa, Idaho (ID) 83653-0247

Thank you very much. I look forward to hearing from you.

Sincerely,



Philip A. Peterson

Copy to: Jerilyn Lancaster
Pamela Peterson
Debra Little
Connie Ickes

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2461**

02/06/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
120H	Claim	03N	02W	25	NE	SE		IRRIGATION	40/120	FAY M WHITE
2461	Claim	03N	02W	25	NE	SE		IRRIGATION	35/40	JERILYN ICKES LANCASTER
21224	Claim	03N	02W	25	NE	SE		STOCKWATER		CONNIE JOHNSON
21224	Claim	03N	02W	25	NE	SE		DOMESTIC		CONNIE JOHNSON
120H	Claim	03N	02W	25	SE	SE		IRRIGATION	40/120	FAY M WHITE
2461	Claim	03N	02W	25	SE	SE		IRRIGATION	5/40	JERILYN ICKES LANCASTER
10250	Claim	03N	02W	25	SE	SE		IRRIGATION	1.7/1.7	ERNEST ETCHECHOURY
20369	Claim	03N	02W	25	SE	SE		IRRIGATION	33/33	BEN T KRAJNIK
2461	Water Right	03N	02W	25	SE	SE		IRRIGATION	40/40	MRS T G SOMERMEIER
10250	Water Right	03N	02W	25	SE	SE		IRRIGATION	1.7/1.7	LOUANN ETCHECHOURY
20375	Claim	03N	02W	25	SE	SE		STOCKWATER		KAREN J KRAJNIK
20375	Claim	03N	02W	25	SE	SE		DOMESTIC		KAREN J KRAJNIK

Please see attached
memo to amended
claim. Call if
you have any questions.

Please have Millard
sign the claims have
notarized and return
to my attention.

You have been added
as attorney of record
and will be notified
of any future correspond-
ence involving the
right. lg

MEMORANDUM

DATE: 3/15/02

FROM: Lori Graves

TO: Claim File

RE: Review

In 1932, a field exam was conducted by the Dept, licensing 40 acres irrigation in the SESE S25 from a well located in the same tract. The license was issued in the name of Somermeier with a 1931 priority date.

Mr. Ickes wrote an affidavit that described how the property has changed ownership throughout the years. Somermeier originally owned all of S25. He sold 40 acres in the NESE and 7 acres in the SESE to Grant with the irrigation rights to the well, which was not located on Grant's property. Later he sold the remaining SESE acres to Duncan, which included the well site. Duncan then sold his SESE acres to Millard and Ivy Ickes. Millard stated that the well was located on his property but he honored the original agreement between Somermeier and Grant. Ickes then bought Grant's property and continued to use the well for irrigation as done in the past. Ickes then sold the SESE 33 acres to Lackey, but kept the irrigation rights to the well, which is noted in the attached purchase agreement dated 1964. Millard And Ivy Ickes then divorced and Ivy got the property.

In 1995, Ivy filed the SRBA claim and realized that the water right did not reflect the historical P/U. She claimed all the irrigation in the NESE rather than as licensed in the SESE.

Ivy passed away and left the property to her children. Her Estate then sold the NESE 33 acres to the School District. The Estate sold the property without irrigation rights to the well. They put the water appurtenant to the NESE acres into the water bank.

The Estate retained the home place in the NESE and 7 acres in the SESE, just below the home place. The home place has existed in the NESE since the 1930's. When Ivy filed the SRBA claim on license 63-2461, she should have left 7 acres irrigation in the SESE and moved 33 acres into the NESE to more accurately reflect historical use. Ivy's Estate then tried to fix the claim by filing a transfer. Later, it was determined that amending the adjudication claim would achieve the same result, which is the reason for this amended SRBA claim.

Wayne Mai telephoned me 3/15/2002 to state that he had farmed Ivy Ickes property from 1976 until 1999 and had used the water from the well located in the SESE for irrigation of Ivy's 33 acres in the NESE and 7 acres in the SESE. His phone number is 674-2208 if

further information is necessary. Other supporting documentation submitted by the estate includes:

1. 1972 Well Agreement and Easement
2. Affidavit from Ivy Ickes
3. Affidavit from Millard Ickes

INSTRUMENT NO 699086

WELL AGREEMENT AND EASEMENT

THIS AGREEMENT, made and entered into this 4th day of December, 1972, by and between RICHARD E. CRILL and MARGARET CRILL, husband and wife, the parties of the first part, hereinafter referred to as Crills, and MILLARD ICKES and IVY J. ICKES, husband and wife, the parties of the second part, hereinafter referred to as Ickes;

WITNESSETH:

WHEREAS, Crills are the owners of the real property described in Exhibit "A" attached hereto and made a part hereof, upon which there is a present existing water well, pump and equipment, and a pipeline leading north therefrom;

WHEREAS, Ickes is the owner of the following described real property, to-wit:

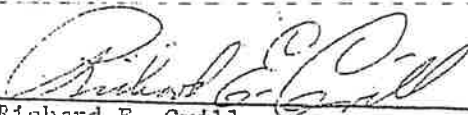
All of that part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T. 3 N., R. 2 W.B.M., lying North of the real property owned by the said Crills and lying North and Easterly of the Hubbard Lateral; and the said Ickes also is the owner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 25.

NOW THEREFORE, for and in consideration of value received by the Crills from Ickes, the receipt of which is hereby acknowledged in full, Crill hereby grants unto Ickes a one-half interest in the said well, pump and equipment, and the water flow from said well appurtenant to the said real property owned by Ickes. Crill also grants unto Ickes the ownership of and right to maintain said pipeline carrying water from said well to the property of Ickes.

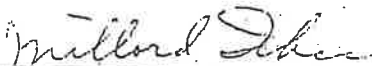
The parties are to equally divide the cost of repair, maintenance and replacement of said water well and its equipment. Ickes has the duty to repair and maintain the said pipeline.

It is mutually understood and agreed that this agreement shall bind the heirs, executors, administrators, personal representatives and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands, the day and year first hereinabove written.


Richard E. Crill


Margaret Crill


Millard Ickes


Ivy J. Ickes

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 21st day of December, 1972, before me, a notary public in and for said State, personally appeared RICHARD E. CRILL, MARGARET CRILL, MILLARD ICKES and IVY J. ICKES, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



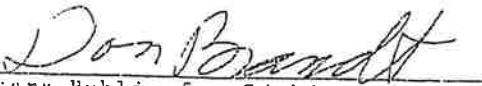

Notary Public for Idaho
Residing at Nampa, Idaho
My Commission Expires 12-20-76

EXHIBIT "A"

Commencing at the SE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T. 3 N., R. 2 W.B.M., Canyon County, Idaho; thence North along the Easterly boundary of said Section 25, 400.5 feet to the initial point; thence West and at right angles to the East line of said Section 25; 42.0 feet to a point; thence North and parallel with the East line of said Sec. 25, 265.5 feet to a point; thence East and at right angles to the East line of Sec. 25, 42.0 feet to a point on the East line of Sec. 25; thence South along the East line of said Sec. 25, 265.5 feet to the initial point.

699086

FILED

JAN 16 1 38 PM '13

WALTER FRY
COUNTY RECORDER

Walter Fry

RECORDED
AT THE REQUEST OF

CANYON ABSTRACT & TITLE CO.

W + R

FEE *3.00*

Richard Little
trust

William Johnson
trust

Will Cyrene & Co.

3/90

This well has been used for thirteen years to irrigate my forty-four Acre farm. Nampa Third Ward (Ben Krajnik, representative) has used the well for the last two years, and then only slightly.

Original purchase of these water rights provided 1 inch per instead of the customary $\frac{5}{8}$.

$7\frac{1}{2}$ H. P., single phase motor.


Ivy Ickes

M.W. ICKES D.V.M.
(Retired)

Summer Address
21250 Midland
Caldwell, Idaho 83605
Phone 208-454-3604

Winter Address
Mailing Address: Box 1
6456 East Wildcat
Cave Creek, AZ 85331
Phone 480-595-8711

AFFIDAVIT

The original owner of Section 25 was Sommermier. He sold 40 acres in the NESE and 5 acres in the SESE to William Grant in 1931 along with the irrigation rights to an well located in the SESE. In 1955, I, Millard Ickes, bought the SESE 35 acres from Robert Duncan. The well was on my property, but I honored the previous agreement to allow the well to irrigate the 45 acres to the North owned by William Grant. In 1960, I purchased Grant's 45 acres. In 1964, I sold my 35 acres in the SESE to William Lackey, but kept the right to the irrigation well, which was noted in the purchase agreement, for my the Northern 45 acres that I retained. The home place in the NESE has been there since the early 1900s. As a result, 35 acres of historical irrigation from the well in the NESE should be recorded and 5 acres of historical irrigation just below the home place in the SESE should be recorded for a total of 40 acres. As explained above, these 40 acres have been irrigated from the well located in the SESE since the early 1930s. Please let me know if you need any further information. Thank you.

Millard W. Ickes dated -

NOV. 21, 01



*Lori Graves residing
in Boise, Ada County
dated 11/21/01.*

Idaho Department of Water Resources Receipt

Receipt ID W028104

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	TRANSFERS	0229	21	62105	1155



Signature Line (Dept. Representative)

COPY

IVY J. ICKES ESTATE
CONNIE JOHNSON, PERSONAL REP
P. O. BOX 643, 208-634-5317
MC CALL, IDAHO 83638

150

92-7008/3241

Date 7/18/01

Pay to the order of Idaho Dept. of Water Resources \$100.00

One hundred dollars to 7/18/01 Dollars



Washington Federal Savings

MONEY MARKET ACCOUNT

McCall Office
101 E. Lake St., McCall, ID 83638

For Application for Transfer Water Rights

Connie L. Johnson

⑆324170085⑆ 035 9402484⑆ 0150

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. _____
ICKES

JUL 31 2001 APPLICATION FOR TRANSFER OF WATER RIGHT

WATER RESOURCES
WESTERN REGION

PART 1

Name of applicant ESTATE OF IVY J. ICKES, DECEASED
by CONNIE JOHNSON, PERSONAL REPRESENTATIVE Phone (208) 634-5317
Post Office address P.O. BOX 643, MCCALL, IDAHO 83638-0643

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe the reason for the proposed changes REAL PROPERTY TO WHICH THE RIGHT IS CURRENTLY APPURTENANT WILL NO LONGER BE USED AS IRRIGATED FARM GROUND, WHEREAS THE PROPERTY TO WHICH THE TRANSFER IS REQUESTED WILL BE USED AS IRRIGATED FARM GROUND.

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>63-02461</u>
<u>17587*</u> | <u>OCT. 15, 1931</u> | <u>0.10 CFS</u> | <u>IRRIGATION</u> | <u>MAR. 15 to NOV. 15</u> |
| <u>* PLEASE SEE CLAIM # A63-02461 SNAKE RIVER BASIN ADJUDICATION</u> | | | | |
- Total amount of water being transferred 0.10 cubic feet per second and/or N/A acre-feet per annum.
- Source of water GROUNDWATER tributary to SNAKE RIVER BASIN
- Point(s) of Diversion: WELL (PUMP #619)

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
—	SE	SE	SE	25	03N	02W	CANYON	WELL (PUMP #619)

5. 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	
03N	02W	25																5	5

Total acres 5

PART 1

8. General Information:

a. Description of diversion system 160' WELL WITH 8" CASING, PUMP,
DITCHES FOR GRAVITY 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:

THE REAL PROPERTY FROM WHICH THE TRANSFER IS
BEING MADE WILL NO LONGER BE USED AS IRRIGATED
FARM LAND.

d. Remarks:

REQUESTED EFFECTIVE DATE OF THE TRANSFER REQUESTED
HEREIN IS NOVEMBER 15, 2001 (AFTER CURRENT IRRIGATION SEASON).
TRANSFEROR IS REQUESTING, BY SEPARATE APPLICATION, THAT THE
REMAINING CFS IN THIS RIGHT* BE PLACED IN THE WATER SUPPLY BANK
* THE REMAINING CFS IN RIGHT 17587 AFTER THIS TRANSFER WILL BE 0.70 CFS.
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____.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2461

WATER RIGHT NUMBER: 63-2461

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IVY ICKES 404 W COLORADO AVE NAMPA, ID 836862813 (208)465-5010
Original Owner	MRS T G SOMERMEIER 1003 SUNSET BLVD BEVERLY HILLS, CA 000000

Priority Date: 10/15/1931

Basis: License

Status: Active

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

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

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 25, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 02W 25													40.0				40.0

Total Acres: 40

Conditions of Approval:Remarks:

- General OWNER HAS WELL AGREEMENT TO SHARE WELL WITH THIRD WARD (PUMP NO. IS 619).LICENSE 63-02461 LISTS 40 ACRES IN SE SE, SEC. 25, BUT HISTORICAL USE HAS BEEN IN NE SE. ACRES IN SESE HAVE NOT BEEN IRRIGATED FROM WELL FOR MANY YEARS EXCEPT RECENTLY (20 ACRES BY BEN KRAJNIK). THUS, THE 20 ACRES IN SESE MAY NOT HAVE PROTECTION UNDER THIS RIGHT. MAP ALSO USED FOR A63-21224.^^ | ADDRESS CHANGE BY CLAIMANT LETTER 4/14/1999 SS.^^

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2461

Dates and Other Information:

Claim Received Date: 2/26/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2461

WATER RIGHT NUMBER: 63-2461

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MRS T G SOMERMEIER 1003 SUNSET BLVD BEVERLY HILLS, CA

Priority Date: 10/15/1931

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 25, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
03N	02W	25																	40.0	40.0

Total Acres: 40

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2461

Dates and Other Information:

Licensed Date: 8/28/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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

1. Right evidenced by:

a. Decree No. N/A Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 17587 issued by the Idaho Department of Water Resources.

c. Claim No. A63-02461 (SNAKE RIVER ASSOCIATION CLAIM #) on file with the Idaho Department of Water Resources.

d. Transfer No. N/A 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 GROUNDWATER ☒ Warranty Deed ATTACHMENT A ☒ Other WELL AGREEMENT AND EASEMENT ATTACHMENT A

3. Source of water WELL (PUMP #619) tributary to SNAKE RIVER BASIN

4. Date of priority OCT. 15, 1931

5. Water is used for the following purpose:

amount 0.800 cfs for IRRIGATION purposes from MAR 15 to NOV 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 0.800 cubic feet per second and/or N/A acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
-	SE	SE	SE	25	03N	02W	CANYON	WELL (Pump # 619)

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	
03N	02W	25													40				40

9. Describe any other water rights used for the same purpose as described above RIGHTS THROUGH
NAMPA AND MURKIN IRRIGATION DISTRICT FOR IRRIGATION.

Total acres 40

PART 2

Transfer No. _____

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 N/A

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 0.10 cfs for IRRIGATION purposes from MAR. 15 to NOV. 15
 (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
—	SE	SE	SE	25	03N	02W	CANYON	WELL (PUMP # 619)

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	
03N	02W	25																	5

Total acres 5

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

1. amount 0.70 cfs for IRRIGATION purposes from MAR. 15 to NOV. 15
 (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
—	SE	SE	SE	25	03N	02W	CANYON	WELL (PUMP # 619)

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	
03N	02W	25													35				35

Total acres 35

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.

SECTION 25
 TOWNSHIP 3N
 RANGE 2W B.M.

PRESENT PLACE OF USE
 (NET 1/4 SEC 4)

NET 1/4 SEC 4
 SEC 4
 SEC 4

5-ACRE PARCEL
 INTENDED POINT OF USE AFTER TRANSFER
 (SHADED TRIANGLE)

POINT OF DIVERSION
 WELL #619



T3N R2W SEC 25

NESE

SESE

PART 3**B. CHANGES IN NATURE OF USE** NOT APPLICABLE

1 NEW NATURE OF USE Amount Hours/days/year Period of Use
Same As Former (cts/ac-ft) (to)
(IRRIGATION) (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.

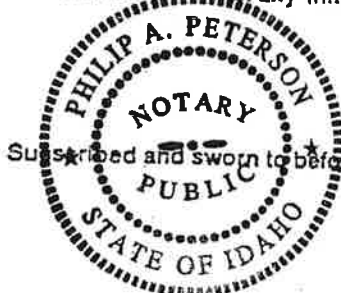
I understand that any willful misrepresentations made in this application may result in voiding its approval.

THE ESTATE OF IVY J. ICKES, DECEASED

By Connie Johnson

CONNIE JOHNSON (Signature of Applicant) PERSONAL REPRESENTATIVE

Subscribed and sworn to before me this 18th day of July, 192001.



My commission expires 10-21-05

(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

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 _____

INSTRUMENT NO. 764771

WARRANTY DEED

For Value Received

MILLARD W. ICKES, husband of Ivy J. Ickes,

the grantor, does hereby grant, bargain, sell and convey unto

IVY J. ICKES, wife of Millard W. Ickes,

Route 6, Nampa, Idaho

the grantee, the following described premises, situated in Canyon

County, State of Idaho, to-wit: An undivided one-half interest in:

The NE1/4 of the SE1/4 of Section 25, Twp. 3 N., R 2 W., B.M.,
and a part of the SE1/4 of the SE1/4 of Section 25, Twp. 3 N.,
R. 2 W., B.M., in Canyon County, Idaho, more particularly
bounded and described as follows, to-wit:

Commencing at the Southeast corner of Section 25, said Twp.
and Range, and running thence North and along the East line
of said Sec. 25, 400.5 feet to the true point of beginning;
thence running West and at right angles to the East line
of said Sec. 25, a distance of 42.0 feet, thence running
North and parallel with the East line of said Sec. 25, a
distance of 265.5 feet; thence running West and at right
angles to the East line of said Sec. 25, a distance of
54.5 feet; thence running North and parallel with the East
line of said Sec. 25, a distance of 34.0 feet to a point on
the SWrly bank of the Hubbard Lateral, as the same is now
located and constructed; thence running NWrly and along the
SWrly bank of the Hubbard Lateral to the North line of the
SE1/4 of the SE1/4 of said Sec. 25; thence East along the North
line of the said SE1/4 of the SE1/4 a distance of 513.5 feet
more or less to the Northeast corner of the said SE1/4 of the
SE1/4 of Sec. 25, thence South along the East line of the
said SE1/4 of the SE1/4 of Sec. 25, 931.0 feet, more or less,
to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
her heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee that he is the owner in fee simple of said premises; that
said premises are free from all incumbrances, and is to be the sole and separate
property of the Grantee, free of any community property interest
of the Grantor.

and that he will warrant and defend the same from all lawful claims whatsoever.
Dated: November 28, 1975

Millard W. Ickes

STATE OF IDAHO, COUNTY OF CANYON

On this 28th day of November, 1975,
before me, a notary public in and for said State, personally
appeared

MILLARD W. ICKES, husband of
Ivy J. Ickes,

known to me to be the person whose name is
subscribed in the within instrument, and acknowledged to
me that he executed the same.

[Signature]
Notary Public,
Residing at Caldwell, Idaho

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
1975, in my office, and duly recorded in Book _____
of Deeds at page _____

By _____ Ex-Officio Recorder,
Deputy.

Fees \$ _____
Mail to: _____

7647.7

FILED

JAN 2 11 17 AM '76

WALTER FRY
CENTON COUNTY RECORDER

BY C. L. Lint

RECORDED

AT THE REQUEST OF

Davisson, Copley
& Copley
IN

OF
Deeds

FFE 1.00

Jcker, Millard W.

To

Jcker, Guy J.

Deed

P.O. Box 1583

Basin, Ida. 83701

State of Idaho

License and Certificate of Water Right

Water License No. 17587
Water District No.

Amount 0.8 Sec. Ft.
Priority October 15, 1931

THIS IS TO CERTIFY that Mrs. T. G. Somermeier of 1003 Sunset Blvd. Beverly Hills, Calif. , made application for a permit to appropriate the public waters of the State of Idaho, dated October 15 , 1931 ; that Permit No. 17587 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second feet, was issued thereunder on December 17 , 1931 , showing that said works were completed on the 16th day of December , 1931 ; and that on the 16th day of December , 1931 ,

Mrs. T. G. Somermeier

of Beverly Hills , State of California , made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Subterranean , a tributary of , for the purpose of Irrigation and domestic use , under Use Permit No. 17587 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3714, on the 3rd day of January , 1933 ;

The right hereby confirmed dates from October 15, , 1931 ;

The Point of Diversion is located

in the SE ¼ SE ¼, Sec. 25 , Tp. 3 N. , R. 2 W. , B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	2 W.	25	SE ¼ SE ¼	40	40

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 3rd day of January , 1933

(SEAL)

R. W. FARIS
Commissioner of Reclamation

no seasons
of use
no aty
no dom Qat

63 2461

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17587

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Mrs. T. G. Sommermeier

2. Source of water supply: Well-Subterranean

3. Location of point of diversion: Is in the SE SE of Section 25

T. 3 N. R. 2 W.B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Sterling pump, 4" outlet, driven by General Electric motor, (direct connected unit type) of 110 volts, 446 amps, 60 cycle, 760 R.P.M. The well is 160 ft deep and cased at top with 8" casing

5. Water is used for: Irrigation and Domestic purposes

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): 40 Acres; SE SE, Section 25, Township 3 N., Range 2 West B.M., County of Canyon.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? none

Remarks: Pump installation is inside a concrete lined sump 5' x 6' x 12 ft deep

This examination was made on the 30th day of April, 1932

(Signed)

Fred H. Dolman
Examiner.

Mrs. T. G. Sommermaier
Nampa, Idaho

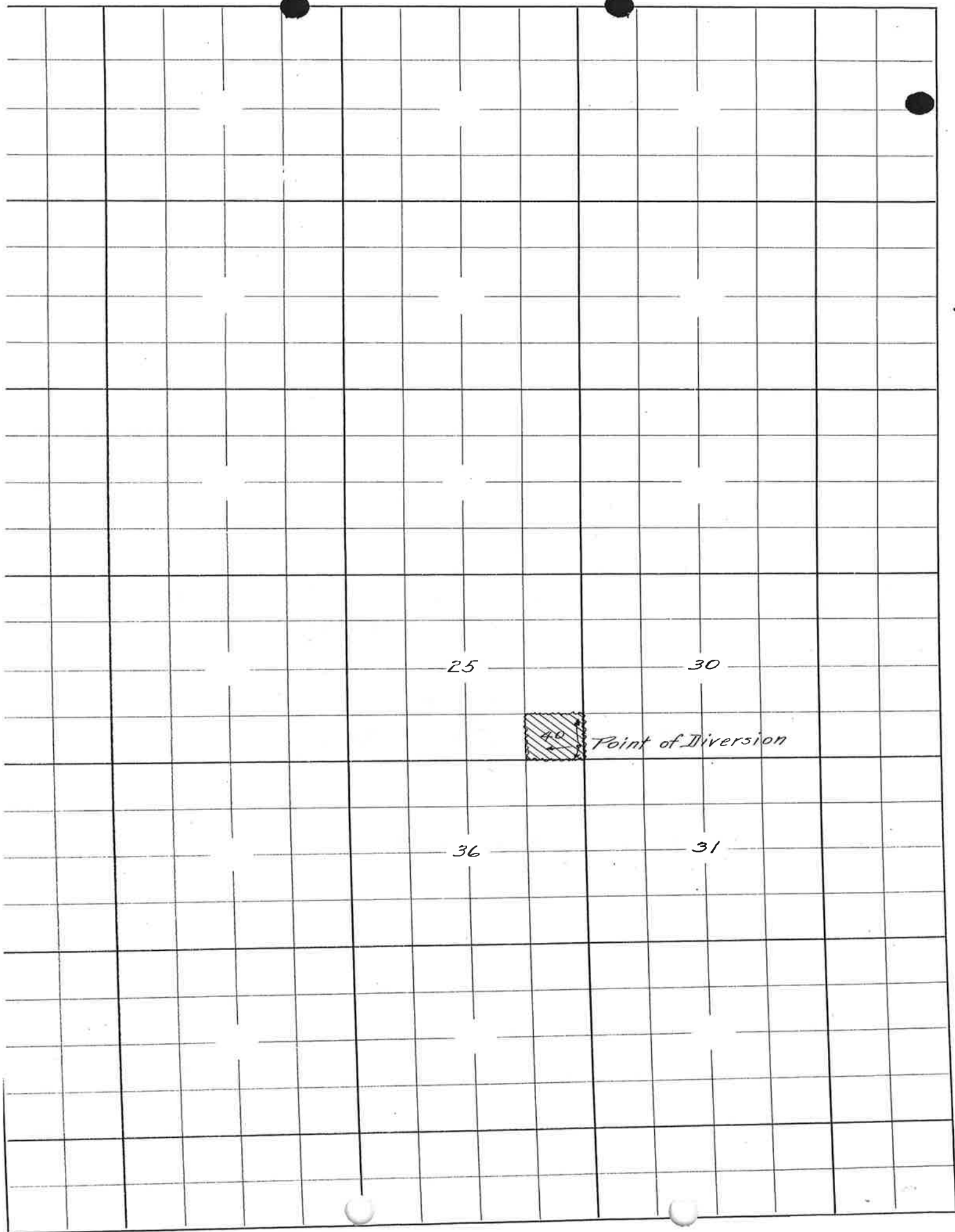
Permit No. 17587

Examination for BEN USE PROOF

County Canyon

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-
-



**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24692
Permit No. 17587
District No.

1. Name of Applicant: Mrs. T. C. Sommermeier

Postoffice address: 1003 Sunset Blvd. Beverly Hills

State: California

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.8

cubic feet per second.

3. Source of water supply: Well - Subterranean

which is a tributary of

4. Location of point of diversion: 800' N. and 50' W.

feet distant from the SE

corner of Section 25, T. 3 N., R. 2 W., B. M., and is in the SE $\frac{1}{4}$

of Section 25, T. 3N., R. 2W., B. M., County of Canyon

5. Water is to be used for: Irrigation and domestic

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T., R., B. M., in the of Section, T., R., B. M.

(b) Amount of power generated: H. P., under feet head,

(c) Water is to be returned to at a point feet

distant from the corner of Section, T., R., B. M., in the
of Section, T., R., B. M.

7. Estimated cost of works: \$ 1200.00

8. Kind of works: Drilled well, 170', pump and electric motor

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 1 feet; width at water line $1\frac{1}{2}$ feet; depth of water $\frac{1}{2}$
feet; dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 7 months. ~~Completed at this time~~

13. The time required for the complete application of the water to the proposed use is no additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Mrs. T. G. Somermeier *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 10:00 A. M., October 15, 1931

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17587
 Recorded in Book 63 Page 17587 Approved October 17, 1931
 This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
 Bond in the sum of \$ _____ to be filed on or before _____
 Work to begin on or before December 16, 1931 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
 One-fifth of the work above specified to be completed on or before December 16, 1931
 The whole of said work to be completed on or before December 16, 1931
 Beneficial use of water appropriated in accordance herewith, to be made on or before December 16, 1931

Witness my hand this 17th day of October, 1931

R. W. FARIS
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N.	2 W	25																	40
			PERMIT NO. 17587 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Mrs. T. G. Somermeier of Beverly Hills, County of and State of California, the holder of permit No. 17587, issued upon Application No. 24692 bearing date of priority of October 15, 1931, authorizing the diversion of 0.8 second feet of the waters of Well-Subterranean, County of Canyon, State of Idaho, for Irrigation and Domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of comple- tion of the works of diversion set out and described in said Permit: that said works are adequate for diverting and convey- ing to the place of intended use 0.8 second feet of the waters of Well-Subterranean; and that the point of diversion of said waters is 800' N. and 50' W. distant from the SE corner of Section 25, Twp. 3 N., Range 2 West B. M., and is in the SE¼SE¼, Sec. 25, Twp. 3 N., Range 2 W. B. M., Canyon County, Idaho; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Forty acres--The Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty-five (25), Township Three (3) North, Range Two (2) West of the Boise Meridian, in Canyon County, Idaho. R. W. FARIS Commissioner of Reclamation Witness my hand this 17th day of December, A. D. 1931. Proof of Completion of Works made December 16, 1931. Certificate of Completion of Works issued December 17, 1931. Vol 7, Page 3714																40