

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: **A63-04830**
Date Received: 3/28/1990
Receipt No: W011754
Received By: _____

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

1. Name: ROBERT S LEE 208-345-5988
Address: PO BOX 3021
BOISE ID 83703

OR

Name: MARITA S LEE 208-345-5988
Address: PO BOX 3021
BOISE ID 83703

2. Date of Priority: JUN 1, 1935

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	26	SE	NW			CANYON

5. Description of diverting works:
WELLS, PIPELINES, FISH POND & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		
RECREATION STORAGE	01/01	12/31			0.30

7. Total Quantity Appropriated is:
0.220 C.F.S. (and/or) 0.30 A.F.A.

8. Total consumptive use is 24.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME R/FISH POND S/20 RANGE

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	26	SE	NW	IRR	7.0
Section Acres						7.0
Total Acres						7.0

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 FOR 7 ACRES

14. Remarks:
ACTUAL IRRIGATION W/HOME LAWN IS 7.5 ACRES.
TWO WELLS FOR DIVERSION, BOTH ARTESIAN, APPROX. 280' DEEP

15. Basis of Claim: STATUTORY CLAIM

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: _____

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State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 16 1992

Department of Water Resources
Western Regional Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 2W
Section 26, — 1/4 of SE 1/4 of NW 1/4, Govt. Lot —, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

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

☒ Water Right Number(s)
Assigned by IDWR: A63-04830

☒ Name and Address of Former Owner/Claimant(s)(Seller):
CORBY OR Mary Hennessey
1125 CENTRAL SUGAR AVE
NAMPA ID 83651

☐ New Owner/Claimant (Purchaser):
ROBERT S. OR MARTA S. LEE

☐ New Mailing Address:
P.O. Box 3021
BOISE Idaho 83703

☐ New Telephone Number: (208) 345 - 5988

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

☐ Attach proof of ownership, describe proof attached: _____

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

☐ Signature of New Owner/Claimant(s) Robert S. Lee Date 12/14/92
Marta S. Lee Date 12/14/92

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-23-92 By: JAL

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 12-23-92 By: JAL

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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JUL 7 5 1994

INSTRUCTIONS

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

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

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

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

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

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

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

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

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

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

PN 22567



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

POOR ORIGINAL

888 North Cole Road / Boise, Idaho 83704 / Telephone (208) 377-2700

9200598

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED CORBY J. HENNESSEY AND MARY E. HENNESSEY, HUSBAND AND WIFE

Grantor s , do hereby grant, bargain, sell and convey unto ROBERT S. LEE AND MARITA S. LEE,
HUSBAND AND WIFE

the Grantee s , whose current address is: P. O. Box 3021, Boise, Idaho 83703
the following described real property in CANYON County, State of Idaho, more particularly described as
follows, to-wit:

ALL THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26,
TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN, CANYON COUNTY, IDAHO,
WHICH LIES NORTH AND EAST OF THE PUBLIC ROAD, 50 FEET IN WIDTH IMMEDIATELY
ADJACENT TO THE NORTHEAST SIDE OF THE RIGHT OF WAY OF THE OREGON SHORT LINE
RAILROAD COMPANY, AND MORE PARTICULARLY SET FORTH IN LEGAL DESCRIPTION ATTACHED
HERETO AND MADE A PART HEREOF BY REFERENCE, MARKED AS EXHIBIT A AND COMPRISING
ONE PAGE.

SUBJECT TO: A DEED OF TRUST OF RECORD DATED JUNE 27, 1983, RECORDED ON JUNE 27,
1983 AS INSTRUMENT NO. 979119, RECORDS OF CANYON COUNTY, IDAHO, WHICH
THE GRANTEE S NAMED HEREIN AGREE TO ASSUME AND TO PAY ACCORDING TO
ITS TERMS AND CONDITIONS.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s , and Grantee s heirs
and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees , the Grantors are the
owner s in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this
conveyance is expressly made subject and those made, suffered or done by the Grantee s ; and subject to reservations,
restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments,
(includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantors
will warrant and defend the same from all lawful claims whatsoever.

Dated: January 06, 1992

Corby J. Hennessey by *Mary E. Hennessey*
CORBY J. HENNESSEY MARY E. HENNESSEY
BY MARY E. HENNESSEY AS HIS ATTORNEY IN FACT

POOR ORIGINAL

EXHIBIT "A"

All that part of the Southeast Quarter of the Northwest Quarter of Section 26, Township 3 North, Range 2, West of the Boise Meridian, Canyon County, Idaho, which lies North and East of the public road, 50 feet in width immediately adjacent to the Northeast side of the right of way of the Oregon Short Line Railroad Company, and more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 26; running thence West on the North line of said Southeast Quarter of the Northwest Quarter 123 feet; running thence Southwesterly, a distance of 643 feet to a point in the Northeasterly boundary line of the above mentioned public road, which point is 816 feet Northwesterly from that point at which the Easterly boundary line of the aforesaid Southeast Quarter of the Northwest Quarter intersects with the Northeasterly boundary line of the above mentioned public road; thence running Southeasterly along the Northeasterly line of the said public road which is parallel to and 150 feet distant from the center line of the railroad, a distance of 679 feet to a point in said Northeasterly boundary line of said public road, 137 feet Northwesterly from the intersection of the same with the East line of the Southeast Quarter of the Northwest Quarter of said Section 26; thence North 43° 15' East 145.7 feet to a point in the East line of said Southeast Quarter of the Northwest Quarter of said Section 26, 794.2 feet South of the Point of Beginning; thence North 794.2 feet to the Point of Beginning.

ACKNOWLEDGMENT - Attorney in Fact

STATE OF IDAHO, County of ADA, ss.

On this 6th day of January, in the year of 1992, before me
THE UNDERSIGNED _____, a notary public,
personally appeared MARY E. HENNESSEY,
known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in
fact of CORBY J. HENNESSEY

and acknowledged to me that s he subscribed the name of CORBY J. HENNESSEY

thereto as principal, and her own name as attorney in fact.

Notary Public: [Signature]

Residing at: [Signature]

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: A63-04830
Date Received: 3/28/1990
Receipt No: W011754
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CORBY HENNESSEY
Address: 1125 CENTRAL SUGAR AVE. 208-465-5511
NAMPA, ID 83651

OR
Name: MARY HENNESSEY
Address: 1125 CENTRAL SUGAR AVE. 208-465-5511
NAMPA, ID 83651

2. Date of Priority: JUN 01, 1935

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	26	SE	NW			CANYON

5. Description of diverting works:
WELLS, PIPELINES, FISH POND & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		
RECREATION STORAGE	01/01	12/31			0.30

7. Total Quantity Appropriated is:
0.220 C.F.S. (and/or) 0.30 A.F.A.

8. Total consumptive use is 24.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME R/FISH POND S/20 RANGE

A63-04830

Page 1

Date: 03/28/90

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AUG 20 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	26	SE	NW		IRR	7.0
Section Acres							7.0
Total Acres							7.0

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 FOR 7 ACRES

14. Remarks:
ACTUAL IRRIGATION W/HOME LAWN IS 7.5 ACRES.
TWO WELLS FOR DIVERSION, BOTH ARTESIAN, APPROX. 280' DEEP

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

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): Mary Jennessey Date: 3/28/90
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of March 19 90

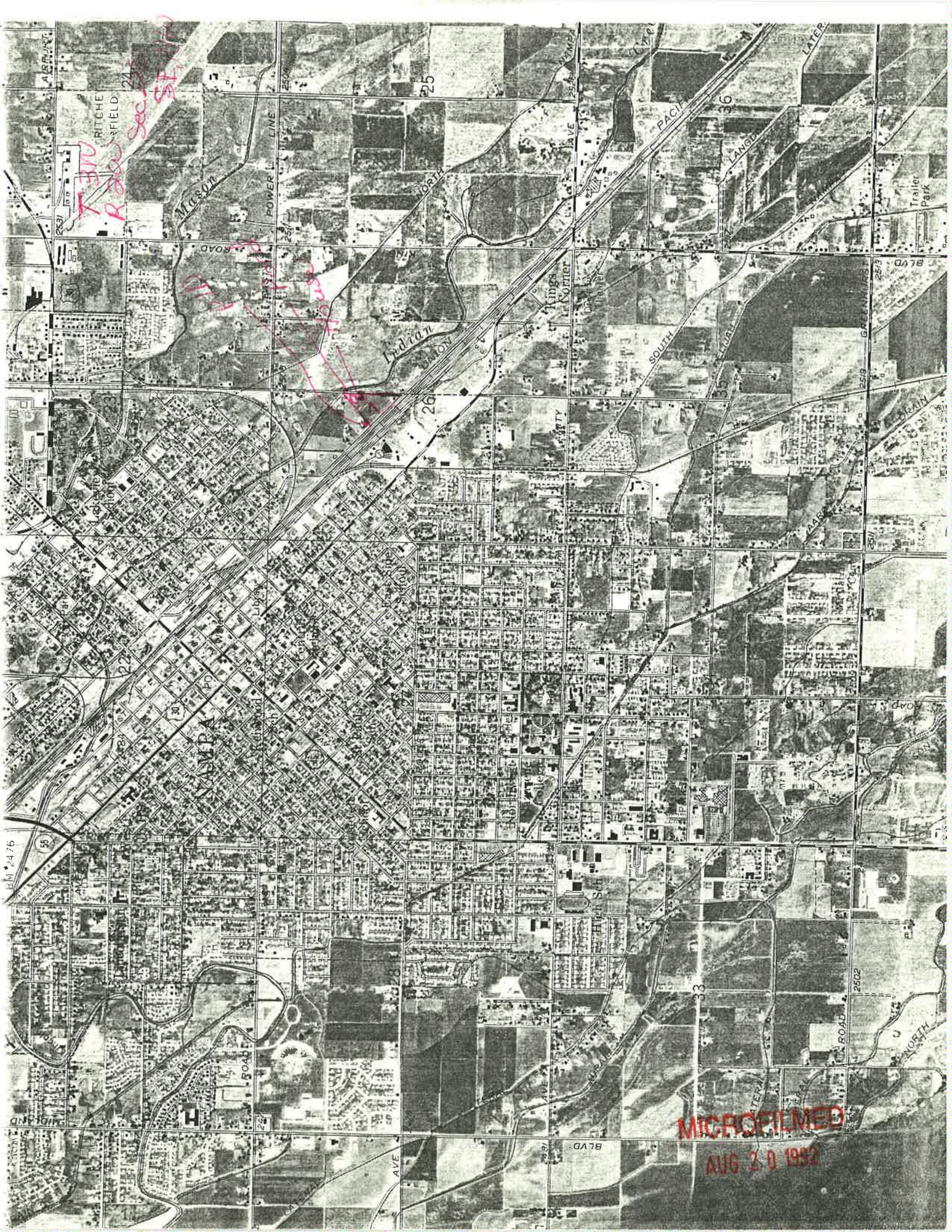
Linda Werner
Notary Public

Seal

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

MICROFILMED

AUG 20 1992



MICROFILMED

AUG 20 1982

Receipt Details for ID W011754

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/28/1990 2:32:16 PM	3/28/1990	Western	\$108.00	Check
Payer		HENNESSEY, MARY		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
8825			
Card Expiration Date	Credit Card Transaction #		

Comment ADJ. LATE FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$58.00	SNAKE RIVER ADJUDICATION	410162	9337	0	0	6490
\$50.00	ADJ. LATE FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4830		\$58.00	Claim

Print Report

we no longer
own this property.

09/29/2006

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

RIGHT NUMBER: 63-4830

NAME AND ADDRESS: ROBERT S LEE
PO BOX ~~3021~~ 140554
BOISE ID 83703
MARITA S LEE
PO BOX ~~3021~~ 140554
BOISE ID 83703 5714

RECEIVED

OCT 19 2006

WATER RESOURCES
WESTERN REGION

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
9.00 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1939

POINT OF DIVERSION:
T03N R02W S26 SENW 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	0.090 CFS 9.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 home and does not include irrigation.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S26 SENW 4.80

STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION

4.8 ACRES TOTAL

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

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

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 20 range cattle.

CONVERSATION MEMORANDUM

TO: CLAIM FILE NO. 63-4830

FROM: VICKY L MUSIC, SR. WATER RESOURCE AGENT, IDWR / WESTERN REGION

SUBJECT: PHONE CALL FROM DALE SCHROCK

DATE: 5/23/2006

CC:

The Lees no longer own this property and in an effort to locate owners of this claim, I sent a letter to Dale Schrock. I have had a couple of conversations with him in the past couple of months since sending the evidence of priority letter. When he called me in response to the letter, he indicated that he owned the "main well". This made sense at the time because the SRBA claim states there are 2 wells though only one well is noted on the claim map.

I called Dale back last week because I had not heard anything from him re evidence of priority. I intended to advance it 4 years to 1939 and wanted him to know that, and also whether the claimed ponds were on their property and if stockwater was used.

When we talked earlier, Dale said he had a domestic right. He said yesterday that he did not think the 63-4830 claim was his property. I looked at the claim map and Arcview and can see that that is true. When I told him that I was assuming his 2.4 acres were a part of this claim based on his statement that he had the property with the "main well", he explained that he meant the main well for the entire area. It is an artesian well that he neighbors say has been there since 1925 and was the main well used in the entire farm. Dale said there was another well on the 7-acre parcel close to Sugar St. HOWEVER, based on the claim map, it appears that the pod associated with 63-4830 IS the Schrock well.

So, the Schrocks did not own a portion of this 7 acres and he is not interested in pursuing any claim for irrigation from this well. He also has NMID shares. The 7 acres is currently nearly all developed with houses in the Sunrise Meadows Subdivision. Development began around 2000 per the aerial. I see from the claim file that we send a letter to them in 2003 requesting a change of ownership. No response was received so will not send an evidence of priority request and field exam letter to them. I don't think I can disallow it because I have evidence of priority in the 1939 aerial and irrigation is clearly seen in the 1987 aerials. I will recommend for 4.8 acres based on irrigation evident in 1987 aerial, at the statutory .02 cfs / acre standard, no field exam based on our lack of contact or pod info.

VLM

05/23/2006

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

RIGHT NUMBER: 63-4830

NAME AND ADDRESS: ROBERT S LEE
PO BOX 3021
BOISE ID 83703

MARITA S LEE
PO BOX 3021
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.130 CFS
9.000 AFY

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/01/1939

POINT OF DIVERSION:

T03N R02W S26 SENW 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	0.090 CFS 9.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 home and does not include irrigation.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S26 SENW 4.80

STOCKWATER same as IRRIGATION
DOMESTIC same as IRRIGATION

4.8 ACRES TOTAL

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

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

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 20 range cattle.

desktop review form

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

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-4830

Owner: _____ Phone No. _____

Current Address: _____

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

*DATE SCHROCK, 2036 E RAILROAD
NIGHAW NA 8368*

Accompanied by: _____

PRIORITY DATE

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

none submitted

*owns the
2.43 ac.
parcel w/
the well*

Priority date, per claimant, is: _____

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

will advance to 1939 per aerial

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

*was the 'main well' - r pod**POD owned by Dale Schrock**POU owned by Sunrise Meadows Estates*

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

see statutory claim

OVERLAP REVIEW

Other water rights with the same point of diversion: *63-22058 NO*

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

Domestic

NA

WATER USES

☐ No change

☒ Different Uses

Use *irr* From *3/1* To *11/15* Amount *.09* CFS *21.6* AFA *Y.BAC*
 Use *dom* From *1/1* To *12/31* Amount *.02* CFS AFA
 Use *sw* From *1/1* To *12/31* Amount *.02* CFS AFA

(4800)(15 AFA) = 72000 or (-.09)(1.835)(260) = 46.41 AFA

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount *.09* CFS *21.6* AFA

☐ Changes found, the new total is, Amount CFS AFA

☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☒ Changes Exam found: Domestic # of homes Stock #

Types Additional comments:

PLACE OF USE:

☒ No Change

☐ Changes shown below:

owns 2.43 ac of div 7 acres in 1981, only 4.8 ac irrigated after subtracting home, ponds, other unirrigated areas.

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

Overlap with other water rights: 63-22058 NO

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: NO

Delivery System Narrative: SEE CLAIMS.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

~~FILE R3137801000~~

WGT NM TO WATER USED

NO2 GW IS FOR 20 RANGE CATTLE

NO1 DOM IS FOR 1 HOME & DOES NOT INCLUDE IRR.

NH4 Q FOR DIS NOT TO > 13K AFD

NO9 Q FOR DIS NOT A DET OF HAS B/L

info is wrong - see memo

- (1) TCF Dale Schrock. He owns main well. Has rt 63-2205B for D/s. I explained evidence of priority. He will try to get it.
- (2) no evidence of priority provided by 5/19/06. will advance priority date to 1939 per advice.
- (3) no field exam done due to POU < 5 acres & quantity < .20 acs not a good use of resources.
- (4) claimant currently only irrigated < .5 acres, no ponds or stock per phone call to Schrock on 5-19-06. talked to Mrs. Schrock

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED:

5-22-06

FIELD EXAMINER:

Wicky Muelr

TCF Dale Schrock ⁶³⁻⁴⁸³⁰
He owns main well. Has
rt. 63-2205B for D/s.
explained eop. He will
try to get it.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTION 26
Water Right (s): 63-4830



TOTAL IRRIGATED ACRES = 4.8



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

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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4830

WATER RIGHT NUMBER: 63-4830

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LA VONNE E CUSIC 1125 CENTRAL SUGAR AVE NAMPA, ID 83651
Original Owner	EDDIE M CUSIC 1125 CENTRAL SUGAR AVE NAMPA, ID 83651
Current Owner	ROBERT S LEE PO BOX 3021 BOISE, ID 83703 (208)345-5988
Original Owner	CORBY HENNESSEY 1125 CENTRAL SUGAR AVE NAMPA, ID 83651 (208)465-5511
Original Owner	MARY HENNESSEY 1125 CENTRAL SUGAR AVE NAMPA, ID 83651 (208)465-5511
Current Owner	MARITA S LEE PO BOX 3021 BOISE, ID 83703 (208)345-5988

Priority Date: 06/01/1935

Basis: Statutory Claim

Status: Active

Source

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	1/01	12/31	0.09	0.30 AF
IRRIGATION	3/15	11/15	0.140 CFS	0.04 AF
DOMESTIC	1/01	12/31	0.040 CFS	0.02 AF
STOCKWATER	1/01	12/31	0.040 CFS	0.02 AF
<u>Total Diversion:</u>			0.220 CFS	0.30 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SE1/4NW1/4

Sec. 26, Twp 03N, Rge 02W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4830

03N 02W 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
								7.0									7.0

Total Acres: 7

DOMESTIC same as IRRIGATION

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. ACTUAL IRRIGATION W/HOME LAWN IS 7.5 ACRES.
TWO WELLS FOR DIVERSION, BOTH ARTESIAN, APPROX. 280' DEEP

Remarks:

Comments:

min water used

~~Parcel # 23187801000~~

~~physical address is 2036^E Railroad St,~~
~~ampa~~

~~same POB as 63-22058~~

Water Supply Bank:

~~also has 1/2 ac. in w/ domestic well~~

Q for DIS not a det of his b/c

Q for DIS not to > 13k apd.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4830

02/07/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4830	Claim	03N	02W	26	SE	NW		IRRIGATION	7/7	ROBERT S LEE
4830	Water Right	03N	02W	26	SE	NW		IRRIGATION	7/7	LA VONNE E CUSIC
5014	Water Right	03N	02W	26	SE	NW		STOCKWATER		UNION PACIFIC RAILROAD CO
2058	Water Right	03N	02W	26	SE	NW		DOMESTIC		DALE SCHROCK

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4830

WATER RIGHT NUMBER: 63-4830

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LA VONNE E CUSIC 1125 CENTRAL SUGAR AVE NAMPA, ID 83651
Current Owner	EDDIE M CUSIC 1125 CENTRAL SUGAR AVE NAMPA, ID 83651

Priority Date: 06/01/1935

Basis: Statutory Claim

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	0.140 CFS	
RECREATION STORAGE	1/01 to 12/31		0.30 AF
STOCKWATER	1/01 to 12/31	0.040 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.220 CFS	0.30 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 26, 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	26								7.0									7.0

Total Acres: 7

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Eddie M. and/or LaVonne E. Cusic
(Name of Claimant)

1125 Central Sugar, Nampa, ID 83651 Telephone No. 466-7017
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 6/01/1935

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater _____ tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates inclusive)	
	(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity	.30 AF	Use	Stor. for Recreation	Period of Use From 1/1	To 12/31
Quantity	.04 cfs	Use	Domestic	Period of Use From 1/1	To 12/31
Quantity	.04 cfs	Use	Stockwater	Period of Use From 1/1	To 12/31
Quantity	.14 cfs	Use	Irrigation	Period of Use From 3/15	To 11/15
Quantity		Use		Period of Use From	To

(4) .22 cfs and .30 AF TOTAL QUANTITY USED.
(cfs, gpd, AFA)

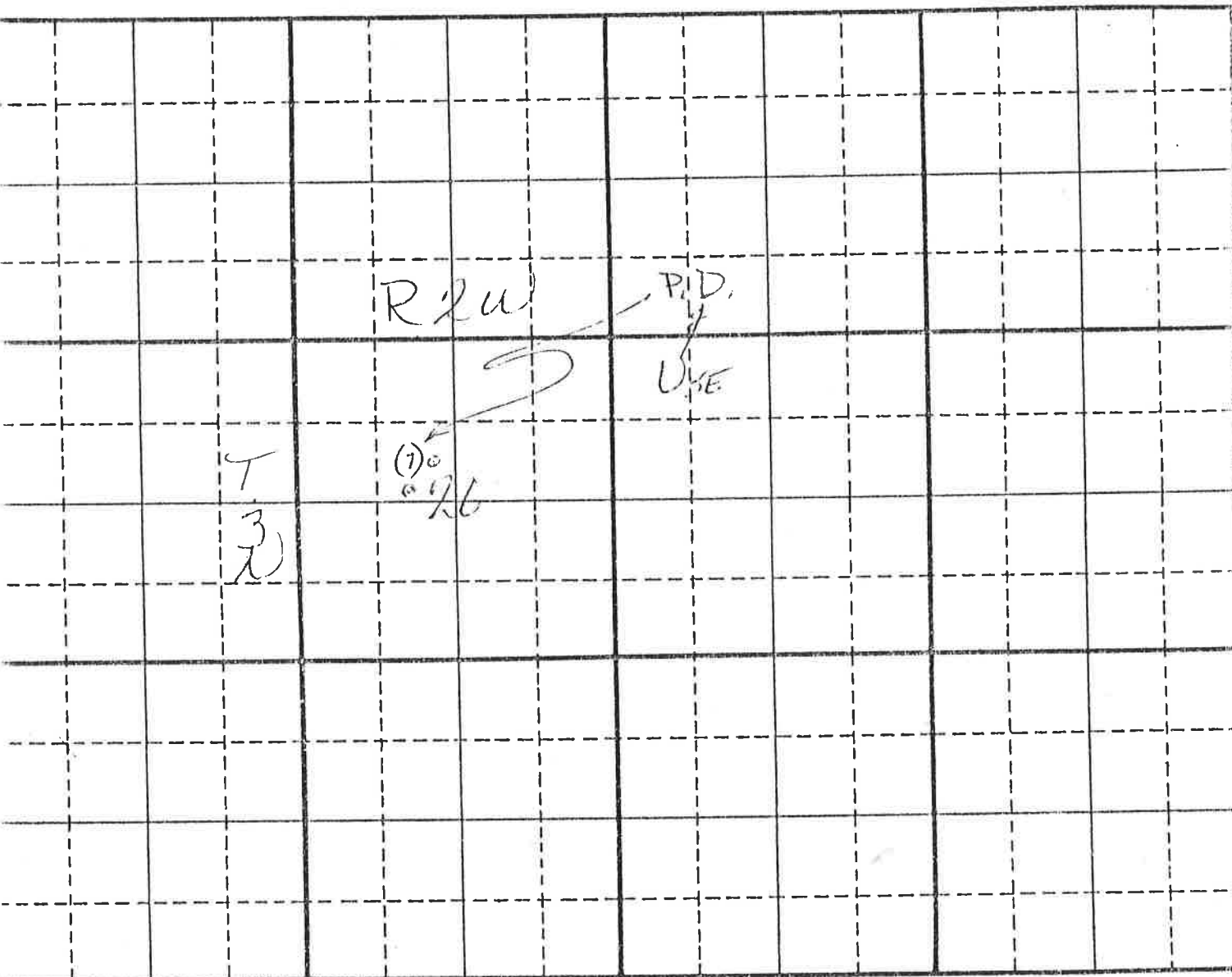
(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 26 Twp. 3N Rge. 2W B.M., County of Canyon
 Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Two artesian cold-water wells about 280 ft. deep each, pipelines, fish pond and ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

ADA

)
) ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Eldon C. Cusic
(Claimant)

Sworn to before me this

9

day of

OCTOBER

1981

Ken M. Hoff



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 6, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DALE SCHROCK
2036 E RAILROAD ST
NAMPA, ID 83687

RE: EVIDENCE OF PRIORITY - Snake River Basin Claim No(s): A63-4830

Dear DALE SCHROCK:

In the past, ROBERT S AND MARITA S LEE submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. You may be the owner of this water right claim. Enclosed is a computer generated printout of the claim(s) for your reference. ROBERT S AND MARITA S LEE indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" to the use of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

Additionally, Idaho statutes require that the Idaho Department of Water Resources (IDWR) be informed of a change in water right ownership within 120 days of the property transaction. If you purchased the property referenced in this letter and intend to pursue the claim filed by ROBERT S AND MARITA S LEE in the SRBA, please fill out the change of ownership form and send it with the required documentation to my attention at 2735 Airport Way, Boise, ID 83705.

All information needs to be submitted by March 27, 2006. Please call me at (208) 334-2190 if you have questions.

Respectfully Submitted,

Vicky L. Music
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet & Notice of Claim Report A63-4830



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Yursa, Secretary of State

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[[Get a certificate of existence for SUNRISE MEADOW ESTATES HOMEOWNERS ASSOCIATION, INC.](#)]

SUNRISE MEADOW ESTATES HOMEOWNERS ASSOCIATION, INC.

76 S CHASE ST
NAMPA, ID 83687

Type of Business: CORPORATION, HOMEOWNERS ASSOCIATION

Status: GOODSTANDING, ANREPT SENT 04 Jan 2006

State of Origin: IDAHO

Date of 27 Mar 2002

Origination/Authorization:

Current Registered Agent: DAVID B CHUGG
1110 N FIVE MILE RD
BOISE, ID 83713

**Organizational ID / Filing
Number:** C143188

**Number of Authorized Stock
Shares:**

Date of Last Annual Report: 17 Jan 2006

Amendments:

Amendment filed 27 Mar 2002 INCORPORATION

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Annual Reports:

Report for year 2006 ANNUAL REPORT

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Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2003

SUNRISE MEADOW ESTATE
1110 N FIVE MILE
BOISE ID 83713

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-4830

Dear Property Owner(s):

We have been advised you may be the current owner of the property with the water right referenced above. Enclosed is a copy of the water right for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

DH: dh

Enclosures

* Nothing received as of 8.19.03.

DH

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



63-4830

ROBERT S & MARITA S LEE
PO BOX 3021
BOISE ID 83703

Sent letter
again
9-10-02

LEE-021 837032005 1402 17 09/06/02
RETURN TO SENDER
LEE
PO BOX 140554
BOISE ID 83714-0554
RETURN TO SENDER

63705-5082 83703

county data PN R3187901000

new owners info Sunrise meadow Estate
1110 N. Five Mile
Boise, Id.
83713

K. Waters
10-15-02



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Water Works, Inc., to assist us with this task.

The purpose of this letter is to advise you that Water Works, Inc. might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Water Works, Inc. with access to your water diversion system so that their personnel can conduct this field examination. Water Works, Inc. will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Water Works, Inc. to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 23, 1992

Re: Notice of Claim to a Water Right No. A63-04830

Robert S. Lee
Marita S. Lee
P.O. Box 3021
Boise, ID 83703

Mr. & Mrs. Lee:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:l
Enclosure

cc: Corby & Mary Hennessey

MICROFILMED
JUL 25 1994

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-04830

Date: 2-19-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	2W	26								7									7
GIS											7									7
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 7

Overlapping POU Claim #'s:

Total GIS Acres: 7

COMMENTS:

Per claim map. Map only shows one PD, so I inserted
second well next to mapped well.

Idaho Department of Water Resources

Claim Number: 63-04830

Legal: T03N. R02W, S26

Reviewed By:

1987 Napp Photo

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

