

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: **A63-04950**
Date Received: 12/26/1989
Receipt No: C013674
Received By: _____

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

1. Name: MICHAEL C HARN 208-467-4119
Address: 5119 MAMER LN
Nampa ID 83686
OR
Name: ROSALINDA HARN 208-467-4119
Address: 5119 MAMER LN
Nampa ID 83686

2. Date of Priority: APR 1, 1929

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	NE	SE			CANYON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 66.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	26	NE	SE		IRR	11.5

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	26	SE	SE		IRR	7.5
Section Acres							19.0
Total Acres							19.0

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 DISTRICT

14. Remarks:
NAMPA STAKE
OWNERSHIP CHANGED BY LH 2/6/97.

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: _____

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 _____

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

RECEIVED

JAN 16 1997

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

~~APR 21 1997~~

1. Water Right Number(s) 63-04950 RECEIVED
Adjudication Claim Number(s) A63-04950 JAN 21 1997

2. The following **REQUIRED** information must be submitted with this form.

WATER RESOURCES
WESTERN REGION

- ☒ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
☒ C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
50 E TEMPLE SLC UT 84150

4. New Owner/Claimant(s) MICHAEL C. OR ROSALINDA HARN
Name connector (Check one): [] AND, ☒ OR, [] AND/OR
New Mailing Address 5119 MANER LN,
City, State and ZIP Code NAMPA ID 83686
New Telephone Number (208) 467 - 4119

5. Date you acquired the property Dec. 3, 1990

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 19.0 Number and type of stock N/A

Diversion rate in CFS 0.40 Number of homes N/A Other uses N/A
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Michael C Harn Date 1-16-97
Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

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 IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

Grantee has read and approved: MCH

Order No. 90004031 I/PB {R-31822}

INSTRUMENT NO. 9022196
CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, NAMPA SECOND CORPORATION OF THE CHURCH OF JESUS CHRIST OF LATTERDAY SAINTS, A CORPORATION,
organized and existing under the laws of the State of Idaho, with its principal office at _____, a corporation
of County of CANYON, State of Idaho,
GRANTOR, hereby GRANT, BARGAIN, SELL and CONVEY unto
MICHAEL COLIN HARN, a married man GRANTEE
whose current address is: 5119 MAMER LANE, NAMPA, IDAHO 83686
the following described real property located in CANYON County, State of Idaho,
more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

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 does hereby covenant to and with the said Grantee(s), that Grantor is the owner 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, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 3rd day of December, in the year of 1990

(CORPORATE SEAL)

NAMPA SECOND CORPORATION OF THE
CHURCH OF JESUS CHRIST (CORPORATE NAME)
OF LATTERDAY SAINTS
By Kyle Blacker
KYLE BLACKER, PRESIDENT PRESIDENT

Attest:

SECRETARY

STATE OF IDAHO, County of CANYON, ss.

On this 3rd day of December
in the year of 1990, before me, the undersigned, a
Notary Public in and for said State, personally appeared
Kyle Blacker
known or identified to me to be the Stake President
of the corporation that executed the instrument
or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Signature: Pamela J. Bigelow
Name: Pamela J. Bigelow
(type or print)
Residing at: Boise, ID
My commission expires: 1-12-94

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 _____
19 _____, in my office, and duly recorded in Book _____
of Deeds at Page _____

Ex Officio Recorder

Deputy

Fees \$ _____
Mail to: _____

This form furnished courtesy of

STEWART TITLE OF IDAHO, Inc.



INSTRUMENT NO.

Order No.: ST-90004038-MH/PB

EXHIBIT "A"

BEGINNING AT A POINT ON THE EAST LINE OF SECTION 26, TOWNSHIP
3 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN, CANYON COUNTY,
IDAHO, 400 FEET NORTH OF THE SOUTHEAST CORNER OF THE SAID SECTION 26,
AND RUNNING THENCE
NORTH ALONG SAID LINE 926 1/2 FEET TO THE QUARTER CORNER (BEING
THE 1/16TH CORNER), BETWEEN SECTION 25 AND 26 OF SAID TOWNSHIP
AND RANGE, THENCE
WEST 978 1/2 FEET TO THE RIGHT OF WAY OF THE OREGON SHORT
LINE RAILROAD, THENCE
SOUTHEAST ALONG SAID RIGHT OF WAY 1350 1/2 FEET TO THE PLACE
OF BEGINNING.

EXCEPT A RIGHT OF WAY FOR ROAD 50 FEET WIDE ALONG THE NORTH
SIDE OF THE OREGON SHORT LINE RAILROAD RIGHT OF WAY.

ALSO EXCEPT THE EAST 25 FEET OF THE ABOVE DESCRIBED TRACT.

ALSO THAT TRACT OF LAND DESCRIBED AS THE EAST 1/2 OF THE NORTHEAST
QUARTER OF THE OF THE SOUTHEAST QUARTER, LYING SOUTH OF INDIAN CREEK,
IN SECTION 26, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN,
CANYON COUNTY, IDAHO.

EXCEPT THE EAST 25 FEET THEREOF.

9022196

RECORDED

'90 DEC 3 PM 3 14

NED J KERR

CANYON CNTY RECORDER

BY

Chait

STEWART - NAMPA

REQUEST

TYPE

Rec'd 6 2

INDIAN

All this yellow
highlighted area is
my property

7500

7650

151

12.07 acres

NOT
TO
SCALE

IN
OUT

4' 10.50"

BUILDING
I AM
CONSTRUCTING
13.78 acres

UPRC RAIL CARS
LEAKAGE/SPILLAGE

UPRC TRAIN DERAILMENT ALL AROUND HERE

UPRC EQUIPMENT
LEAKAGE

SOUTH KINGS ROAD

SUBMITTED TO:
MR. P. L. JENKINS, HCR
UNION PACIFIC SYSTEMS
111 SOUTH MAGNOLIA ST
PRAIRIE, TEXAS 75801

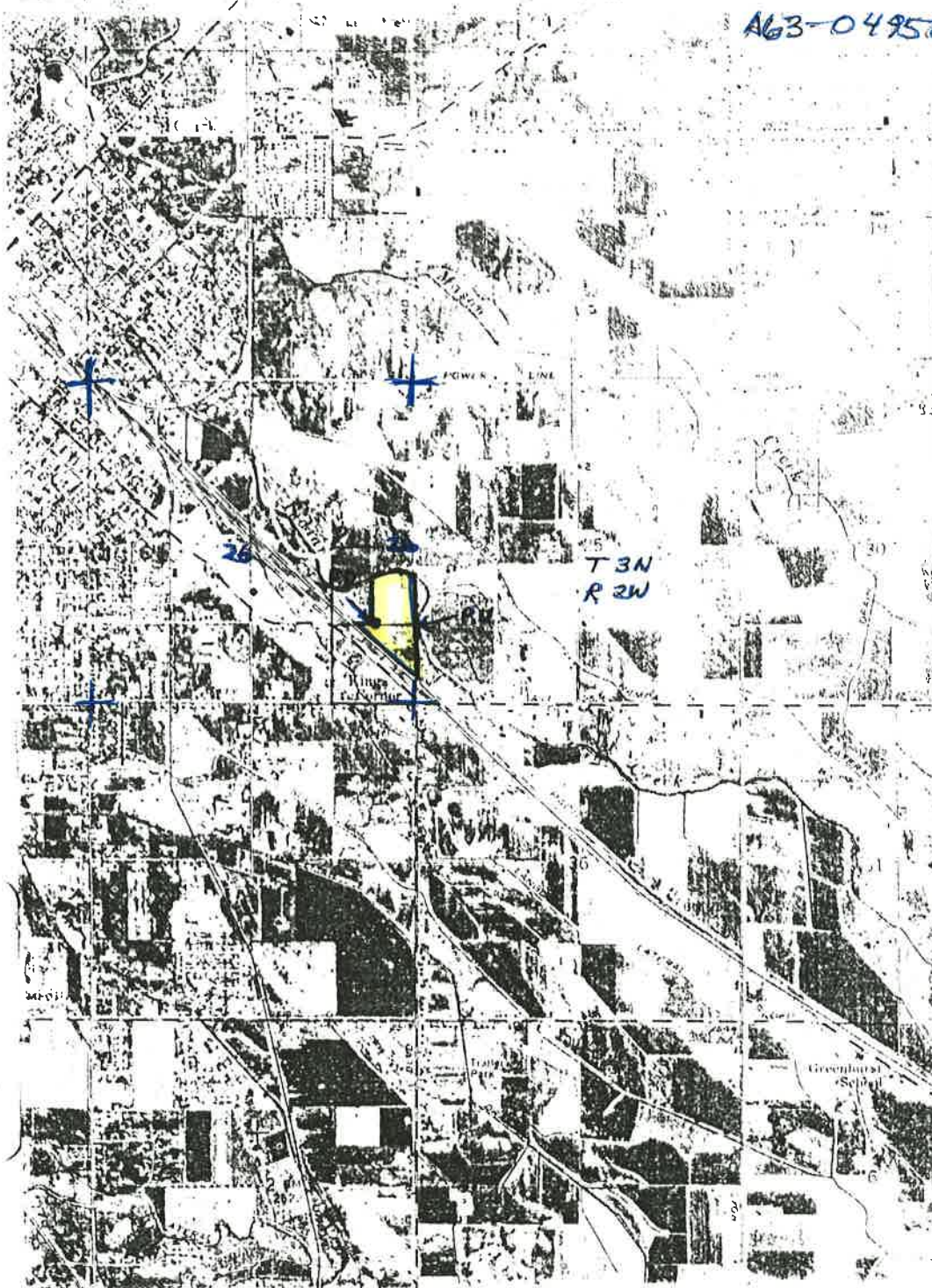
ON DECEMBER 29, 1992
WITH A LETTER + CLAIM FORM

MIKE HORN
208
467-4119
NAPPA, IDAHO

BEARING
POINT

POOR ORIGINAL

AG3-04950



T
T

25x10

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: A63-04950

Date Received:

Receipt No: CD13674

Received By: C. Wong

CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHURCH OF JESUS CHRIST LATTER DAY SAINTS 801-240-2929
Address: REAL ESTATE DIVISION
TWELFTH FLOOR
50 EAST NORTH TEMPLE STREET
SALT LAKE CITY, UT 84150

RECEIVED
DEC 26 1989

2. Date of Priority: APR 01, 1929

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Department of Water Resources

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

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

A.F.A.

8. Total consumptive use is 66.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	26	NE	SE		IRR	11.5
			SE	SE		IRR	7.5

Section Acres 19.0

A63-04950

Page

1

Date: 10/23/89

MICROFILMED

AUG 20 1992

10. Place of Use: Continued

Total Acres 19.0

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 DISTRICT

14. Remarks:
 NAMPA STAKE

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
AUG 20 1992

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ AUTHORIZED AGENT _____ of _____ Title _____

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole _____, that I have signed the foregoing Organization _____

document in the space below as _____ AUTHORIZED AGENT _____ of _____ Title _____
Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole _____ and that the statements contained in the Organization _____

foregoing document are true and correct.

Paul A. Baker JJK
Signature of Authorized Agent

Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole
AUTHORIZED AGENT _____
Title and Organization _____

12-19-89
Date

State of Utah }
~~Idaho~~ }
County of Salt Lake } ss.

Subscribed and sworn (or affirmed) before me this 19 day
of December 19 89

Alice Duke
Notary Public

Seal



Residing at Salt Lake City
My Commission Expires 10-22-92

RECEIVED

DEC 26 1989

ADJUDICATION FILING FEES FOR IDAHO

Department of Water Resources

PROPERTY IDENTIFICATION

Idaho State Water Right Permit # 163-04950
LDS Church Property # 536-9975 *none*

FEE CALCULATIONS

Domestic, stockwatering, fire protection, etc. \$ _____
Flat fee for irrigation. \$ 50.00

VARIABLE FEE SCHEDULE

Irrigation (\$1.00 per acre). \$ 19.00
Power Generation (\$3.00 per kilowatt) \$ _____
Aquaculture (\$10.00 per cfs) \$ _____
All other uses (\$100.00 per cfs) \$ _____

Other charges. \$ _____

TOTAL \$ 69.00

DATE 10-23-89


Carter Fritschle
Idaho Dept. of Water Resources


Glen Nielson
Field Representative
Church of Jesus Christ
of Latter-day Saints

MICROFILMED
AUG 20 1992

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

REAL ESTATE DIVISION
Twelfth Floor, RM-1241
50 East North Temple Street
Salt Lake City, Utah 84150
Phone (801) 240-4074

Reference reply to:

December 20, 1989

RECEIVED
DEC 26 1989

Mr. Carter Fritschle
Senior Water Resource Agent
Adjudication Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Boise ID 83720

Department of Water Resources

Dear Mr. Fritschle,

Attached are the signed documents and a check for \$570.00 to pay for the adjudication fees for water rights in Canyon County, Idaho.

<u>Groundwater Right</u>	<u>Property Number</u>	<u>Property Name</u>	<u>Adjud. Assess.</u>
A63-04949	503-3179	Nampa 8,12	\$ 53.00
A63-09263	520-1837	Nampa ID S Stk Rec-Deer Flat Rd.	56.00
A63-09953	513-6474	Nampa 5,7	54.00
A63-09954	513-6482	Nampa ID S Stk Rec-Sunnyridge Rd.	53.00
A63-19309	503-3063	Middleton 2,3	55.00
A63-19310	515-9709	Wel ID Caldwell Riverview Orchards	25.00
A63-19311	515-9709	Wel ID Caldwell Riverview Orchards	25.00
63-11037	525-3802	Nampa 2,8 App.	30.00
63-11038	525-3268	Caldwell ID N. Stk Rec-Old Hwy 30	15.00
	525-3241	Caldwell 2, Middleton 1& App.	15.00
63-11039	503-3896	Parma App.	30.00
63-11043	521-5277	Nampa 6, 11& App.	30.00
63-11044	521-5285	Nampa ID Stk Rec - Smith Ave. App.	30.00
63-11045	507-5750	Nampa Seminary (Nampa High) App.	30.00
A63-04950	536-9975	Nampa Stake	69.00
Total			\$570.00

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AUG 20 1992

Carter Fritschle

- Page 2 -

Thanks for your assistance and that of Glen Nielson in getting these rights adjudicated and recorded.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ronald C. Johnson".

Ronald C. Johnson
Water Analyst

RCJ:ja
encs.

cc: Terry F. Roylance
M. Glade Pincock
Glen Nielson

MICROFILMED

Aug 20 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECK IST #2

CLAIMANT'S NAME LDS ChurchCLAIM IDENT. NO. A63-04950DATE RECEIVED 12-26-89

CK # _____

AMOUNT \$ _____

YES

NO

Required
Info?

1. Is the name and address complete with zip code? YES _____ NO _____ *
2. Is a priority date entered? YES _____ NO _____ *
- Is the priority date acceptable in view of mandatory filing dates? YES _____ NO _____ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. YES _____ NO _____ *
3. (a) Is a source entered? YES _____ NO _____ *
- (b) Is a tributary to entered? (if required) N/A _____ YES _____ NO _____ *
4. Is the legal description of the p.d. sufficient? YES _____ NO _____ *
5. Is there a description of the diverting works? YES _____ NO _____ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. YES _____ NO _____ *
- Is the period of use included? YES _____ NO _____ *
- Is a quantity claimed for each use? YES _____ NO _____ *
7. Is a total quantity claimed entered? YES _____ NO _____ *
8. If required is a consumptive use entered? N/A _____ YES _____ NO _____ *
- Is the consumptive use correct? N/A _____ YES _____ NO _____ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A _____ YES _____ NO _____ *
10. Is (are) the place(s) of use and purpose(s) indicated? YES _____ NO _____ *
11. Is (are) the county(ies) entered? YES _____ NO _____ *
12. Is the ownership of p.u. checked? YES _____ NO _____ *
13. Are other water rights listed or "none" indicated? YES _____ NO _____ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A _____ YES _____ NO _____ *
15. Is the basis of the claim indicated? YES _____ NO _____ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A _____ YES _____ NO _____ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. YES _____ NO _____ *
18. Has the claim been signed, sealed, and dated by a notary? YES _____ NO _____ *
19. Was this claim filed on time, or was an extension granted? YES _____ NO _____ *
20. Is the fee enclosed correct? Exempt _____ YES _____ NO _____ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A _____ YES _____ NO _____ *
22. Should this claim be data entered? YES _____ NO _____ *

Claim checked by: CFDate: 6-7-90

Claim must be returned to claimant: _____

(Yes) (No)

Claimant must be notified of modifications: _____

(Yes) (No)

Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____

Date: _____
Date: _____
Date: _____

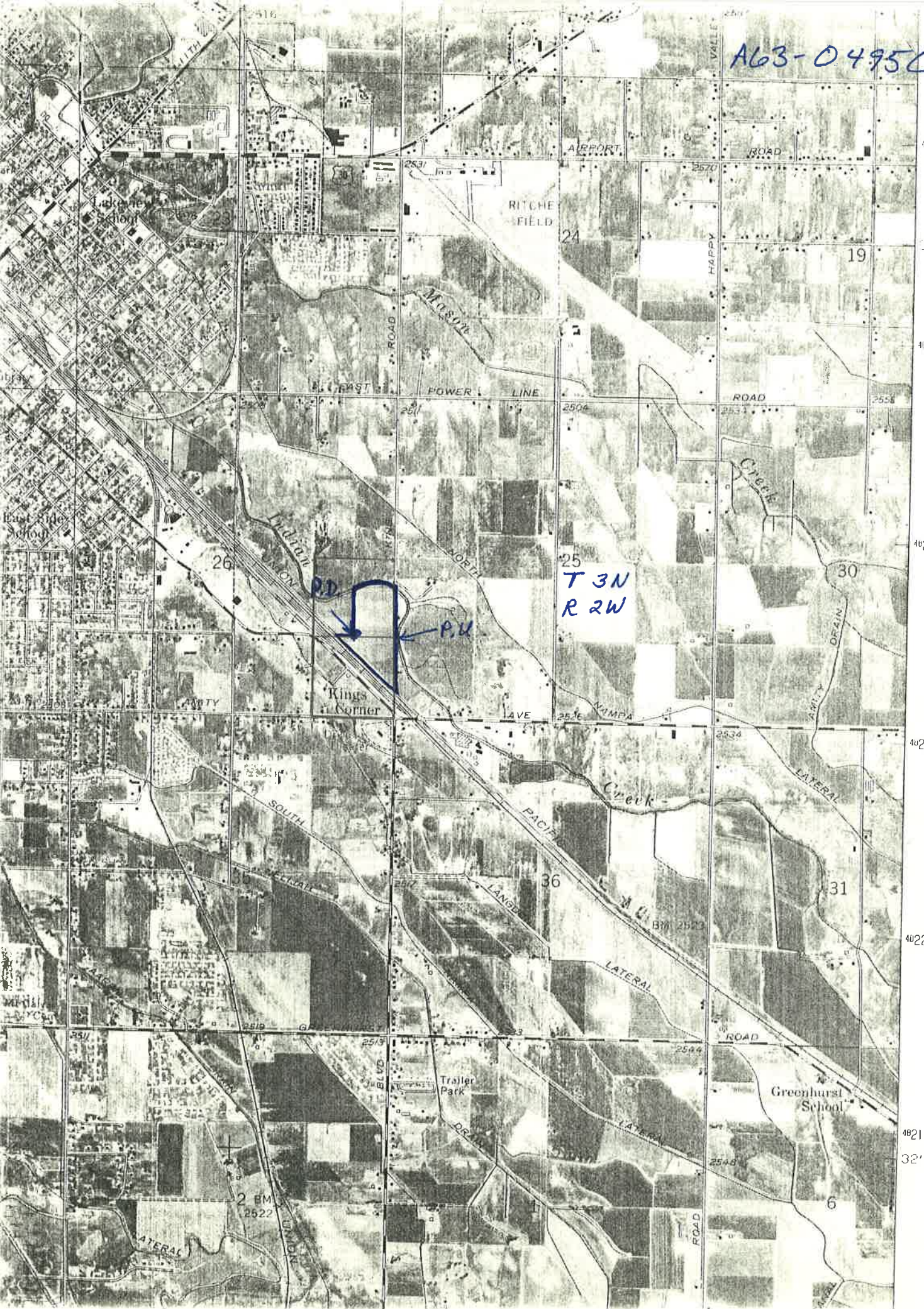
Checked by: _____

Date: _____

Comments: _____

MICROFILMED
AUG 20 1992

AL3-04950



MICROFILMED

AUG 20 1992

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Receipt Details for ID C013674

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/26/1989 11:13:03 AM	12/26/1989	State	\$570.00	Check
Payer		CHURCH OF JESUS CHRIST OF		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
63410			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$180.00	APPLICATION FOR PERMIT	610199	1238	0	0	6390
\$390.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4949		\$53.00	Claim
63	9263		\$56.00	Claim
63	9953		\$54.00	Claim
63	9954		\$53.00	Claim
63	19309		\$55.00	Claim
63	19310		\$25.00	Claim
63	19311		\$25.00	Claim
63	4950		\$69.00	Claim



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

March 7, 2006

MICHAEL AND ROSALINDA HARN
5119 MAMER LN
NAMPA, ID 83686

RE: EVIDENCE OF PRIORITY

SNAKE RIVER BASIN CLAIM NO(S): A63-4950

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a printout of the claim(s) for your reference only. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial 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 Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR 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. Please submit the required evidence supporting the priority date(s) by March 27, 2006.

Please let me know if have questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,

Vicky L. Music
Senior Water Resource Agent

Enclosures: Notice of claim report for A63-4950 and "Evidence of Priority" brochure

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



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

FROM

g

DATE

5/22/97

TO

A63-04950

SUBJECT

Hanna filed the enclosed transfer 4/8/97 to correct statutory claim to reflect their SKBA claim. Her legal staff, transfer is not necessary because a statutory claim is not a verified nt. The record can be corrected via SKBA. Refund request for \$100 transfer fee submitted 5/22/97.

Loi Granger

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT Michael or Rosalinda Harn TRANSFER NO. _____

INITIAL ALLOCATION REVIEW BY lg DATE 4/14/97
SRBA SUPERVISOR REVIEW BY _____ DATE _____

1. Right number(s) 63-04950

2. Type of right _____ Decree _____ License ☒ Statutory Claim
_____ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D _____ Add P/D ☒ Change P/U
_____ Change N/U _____ Change Source _____ Split Right
_____ Other: correct original record to reflect current use

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

_____ Also see attached memo for more analysis information

- a. N/A All of right
- b. N/A Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer- verified irrigation with napp photo X56 SE
- f. ☒ Correct notarized signature and \$100 fee
- g. _____ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: list 19 acres on transfer, Stat claim lists 20 acres. here reduction also needs reflected with cfs reduction. Recommend .38 cfs rather than .40 cfs

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

j. ☒ SRBA claim(s) - Comments (**NOTE!** Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) Transfer reflects SRBA claim

Transfer filed because fixing inaccurate records is not the purpose of SRBA. Per SRBA legal staff.

k. ☒ Comment letters _____ Yes ☒ No
If yes _____ Water District # _____
Other, see #2 below for name and address _____

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? _____ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters: _____ See attached information

3. Transfer published correctly? _____ Yes _____ No

4. Affidavit of publication received? _____ Yes _____ No

5. Protests received? _____ Yes _____ No; Acknowledgement sent? _____ Yes

6. Data entry of application completed? _____ Yes

RECOMMENDED ACTION

1. _____ Approve _____ See attached memo

2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

4. By _____ Date _____

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? _____ Yes

2. File forwarded to S.O.: by _____ date _____

Page 1 of STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No.

RECEIVED

APR 09 1997

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

WATER RESOURCES
WESTERN REGIONName of applicant Michael C. or Rosalinda Harn Phone (208) 467-4119Post Office address 5119 Memer Ln, Nampa ID 83686

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other
2. Describe the reason for the proposed changes Correct the legal description of the well
actually used under this right.

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
63-04950 4-1-1929 .40 IRR 03-15 to 11-15
 to
 to
 to
2. Total amount of water being transferred .40 cubic feet per second and/or acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	26	3N	2W	Canyon	Existing well

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	
3N	2W	26													11.5			7.5	19

RECEIVED
APR 08 1997
Department of Water ResourcesTotal acres 19

PART 1

6. General Information:

a. Description of diversion system Well, (Artesian Pressure), gated pipe

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change - Correcting right to reflect current use.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

RECEIVED

WR0749NP
No. 63-04950

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/08/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHURCH OF JESUS CHRIST LATTER DAY SAINTS	04/01/1929	IRRIGATION	03/15 11/15	0.400 CFS	
TOTAL DIVERSION:					0.400 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T03N R02W S26 NESE CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
03N	02W	26	:																	
																20			20.0	
																TOTAL ACRES		20.0		

Pou County: CANYON

Dates:	App. Received:	Priority Date:	04/01/1929
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 02/28/83 05/01/88 CONVERT

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

SEE ATTACHED PROFILE REPORT

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(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 _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above No

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 _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED NA

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

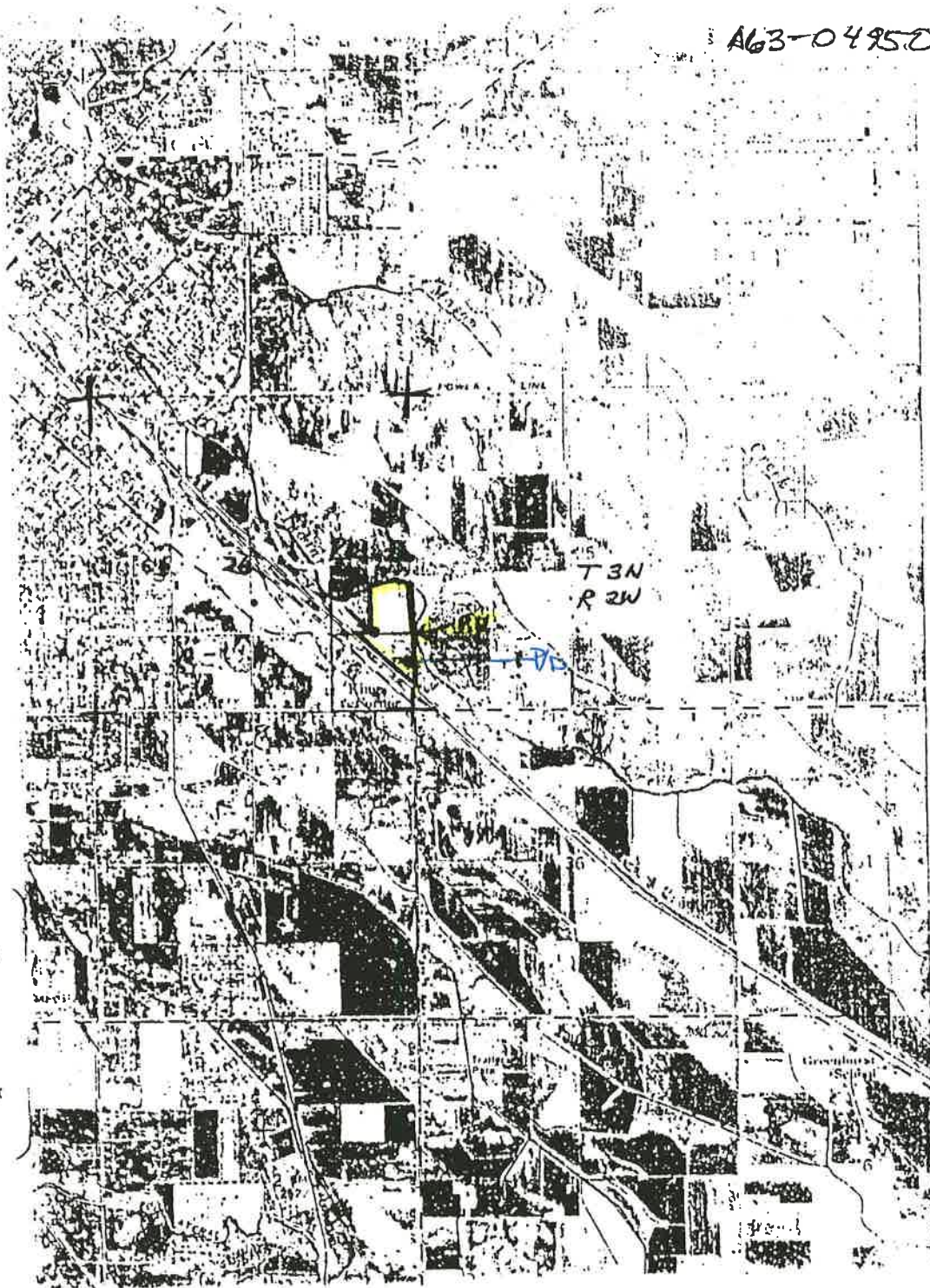
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

POOR ORIGINAL

AG3-04950



T
T

25x10

2x10

INDIAN

All this yellow
highlighted area is
my property

7500

7650

12.07 acres

(11)

IN
OUT

4178.50

BUILDING
I AM
CONSTRUCTING
15.78 acres

UPRC RAIL CARS
LEAKAGE/spill-over

UPRC EQUIPMENT
LEAKAGE

SOUTH
KINGS
ROAD

Submitted to:
MR. P.L. JENKINS, HCR
UNION PACIFIC SYSTEMS
111 SOUTH MAGNOLIA ST
PALESTINE, TEXAS 75801

ON December 29, 1992
WITH A LETTER + chain form

MIKE HORN
208
467-4119
Nampa, Idaho

Begin
Point

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

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

SEE ATTACHED MAPS

PART 3

B. CHANGES IN NATURE OF USE NA

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

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

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

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

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

Michael C. Ham

(Signature of Applicant)

Subscribed and sworn to before me this 8th day of April, 19 97.

Sharla R. Curtis

(Notary Public)

My commission expires 11-6-2006

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by CS Date 04-08-97 Protest filed by _____

Prelim. check by lg Fee \$100. 1038534

Receipted by CS Date 04-08-97

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 _____

Order No. 90004038-1/PB [R-31822]

INSTRUMENT NO. 9022196
CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, NAMPA SECOND CORPORATION OF THE CHURCH OF JESUS CHRIST OF LATTERDAY SAINTS, A CORPORATION,
 organized and existing under the laws of the State of Idaho, with its principal office at _____, a corporation
 of County of CANYON, State of Idaho,
 GRANTOR, hereby GRANT, BARGAIN, SELL and CONVEY unto
 MICHAEL COLIN HARN, a married man GRantee
 whose current address is: 5119 MAMER LANE, NAMPA, IDAHO 83686
 the following described real property located in CANYON County, State of Idaho,
 more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

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 does hereby covenant to and with the said Grantee(s), that Grantor is the owner 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, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 3rd day of December, in the year of 1990

(CORPORATE SEAL)

NAMPA SECOND CORPORATION OF THE
 CHURCH OF JESUS CHRIST (CORPORATE NAME)
 OF LATTERDAY SAINTS
 By Kyle Blacker
 KYLE BLACKER, PRESIDENT PRESIDENT

Attest: _____
 SECRETARY

STATE OF IDAHO, County of CANYON, ss.
 On this 3rd day of December
 in the year of 1990, before me, the undersigned, a
 Notary Public in and for said State, personally appeared
Kyle Blacker
 known or identified to me to be the Stake President
 of the corporation that executed the instrument
 or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.
 Notary Public
 Name: Pamela J. Bigelow
 Residing at: Boise, ID
 My commission expires: 1-12-94

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

utions 42-248
 Water Resources

INSTRUMENT NO.

Order No.: ST-90004038-MH/PB

EXHIBIT "A"

BEGINNING AT A POINT ON THE EAST LINE OF SECTION 26, TOWNSHIP
3 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN, CANYON COUNTY,
IDAHO, 400 FEET NORTH OF THE SOUTHEAST CORNER OF THE SAID SECTION 26,
AND RUNNING THENCE
NORTH ALONG SAID LINE 926 1/2 FEET TO THE QUARTER CORNER (BEING
THE 1/16TH CORNER), BETWEEN SECTION 25 AND 26 OF SAID TOWNSHIP
AND RANGE, THENCE
WEST 978 1/2 FEET TO THE RIGHT OF WAY OF THE OREGON SHORT
LINE RAILROAD, THENCE
SOUTHEAST ALONG SAID RIGHT OF WAY 1350 1/2 FEET TO THE PLACE
OF BEGINNING.

EXCEPT A RIGHT OF WAY FOR ROAD 50 FEET WIDE ALONG THE NORTH
SIDE OF THE OREGON SHORT LINE RAILROAD RIGHT OF WAY.

ALSO EXCEPT THE EAST 25 FEET OF THE ABOVE DESCRIBED TRACT.

ALSO THAT TRACT OF LAND DESCRIBED AS THE EAST 1/2 OF THE NORTHEAST
QUARTER OF THE OF THE SOUTHEAST QUARTER, LYING SOUTH OF INDIAN CREEK,
IN SECTION 26, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN,
CANYON COUNTY, IDAHO.

EXCEPT THE EAST 25 FEET THEREOF.

9022196

RECORDED

90 DEC 3 PM 3 14

NED J KERR
CANYON CNTY RECORDER
BY *Chait dy*

STEWART - NAMPA

REQUEST
TYPE *Reel 62*

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MEMORANDUM

TO: Debbie Allen
FROM: Lori Graves, Western Region
RE: Refund Request, Receipt no. C038536 in the name of
Michael Harn

Water right transfer application 63-04950 was received 04/08/97. It was determined in the reveiw process that the transfer application is not necessary and will be withdrawn. Please refund the Harns for the \$100 fee paid. Their address is:

Michael and Rosalinda Harn
5119 Mamer Ln
Nampa ID 83686

Thanks.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 6, 1997

Re: Notice of Claim to a Water Right No. A63-04950

MICHAEL C HARN
ROSALINDA HARN
5119 MAMER LN
NAMPA ID 83686

Dear Mr. & Mrs. Harn:

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,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

Enclosure

05/19/2006

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

RIGHT NUMBER: 63-4950
NAME AND ADDRESS: MICHAEL C HARN
5119 MAMER LN
NAMPA ID 83686
ROSALINDA HARN
5119 MAMER LN
NAMPA ID 83686

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.090 CFS
13.500 AFY

PRIORITY DATE: 03/01/1939

POINT OF DIVERSION:

T03N R02W S26 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	0.090 CFS 13.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S26 SESE 3.00

3 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.

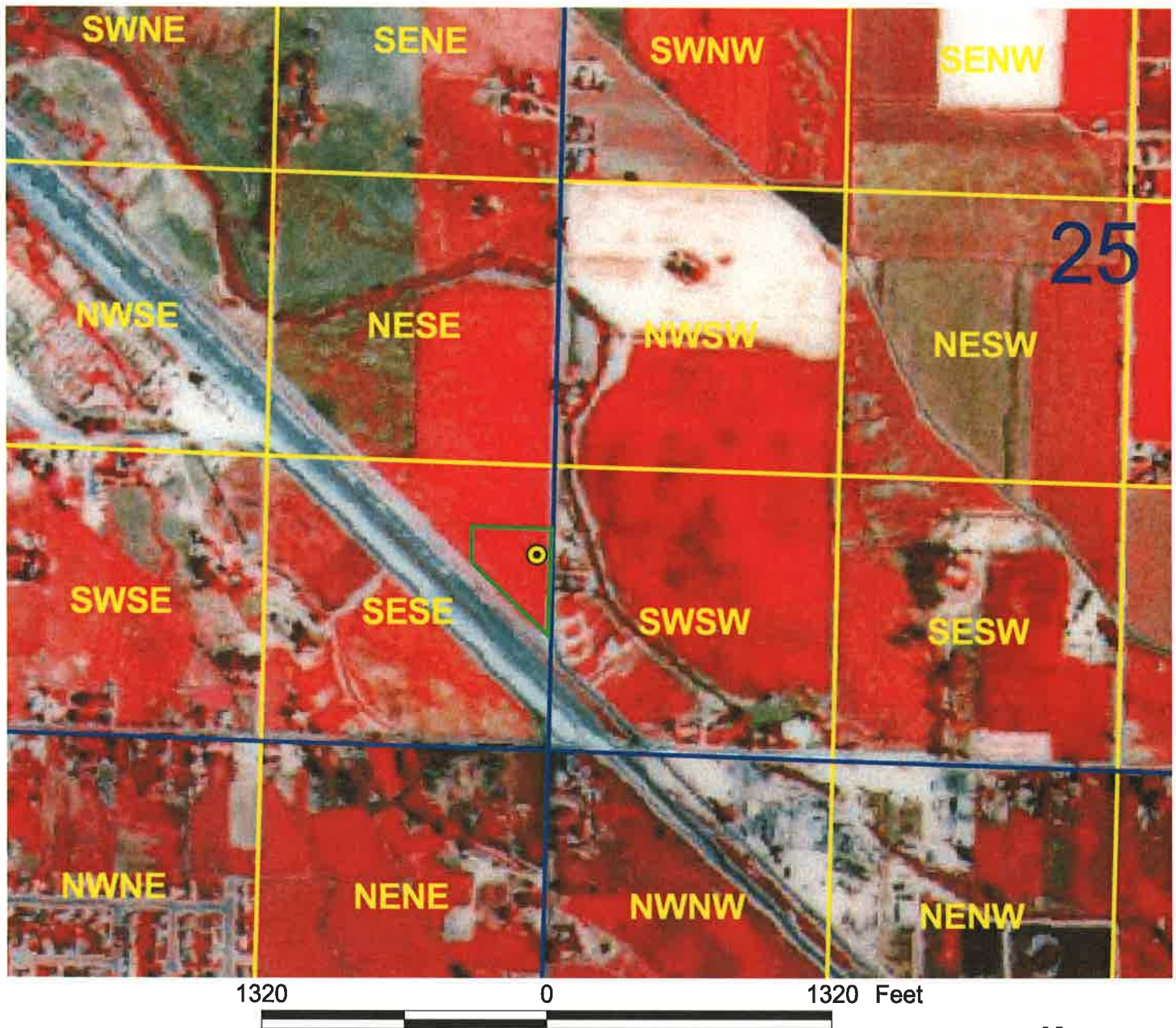
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Parcel No. R3182201300.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTION 26

Water Right (s): 63-4950



TOTAL IRRIGATED ACRES = 3



-  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

Desk top review / VLM

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

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ 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) 03-11950

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

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

Priority date, per claimant, is: 1929

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

Advanced 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: wrong legal description in claim
- ☐ If different, when did POD change? _____

transfer filed to change POD to SESE

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 field exam notes 2002

OVERLAP REVIEWOther water rights with the same point of diversion: none

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

WATER USES

- ☐ No change
- ☐ Different Uses

Use irrig From 311 To 11115 Amount .09 CFS 13.5 AFA 3 acres

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount .09 CFS 13.5 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: claimant currently owns & irrigates 3.87 ac. out of originally claimed 20 ac.

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	
3N	2W	26																3	3

Overlap with other water rights: no

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

Delivery System Narrative:

see field exam 2002.

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

mt ✓
Parcel # R3182201300.

- (1) Parcel currently owned by Clint is 3.87 acres. Q & POU reduced accordingly. to 3 ac or \$.09 CFS
- (2) and of priority letter sent 3/1/06. If no response, will advance down *priority date to 1939 which is when earliest evidence I have.
- (3) Too difficult because Nampa condemned property? ~~not~~ in 1997 ~~filed~~ tax because change happened after 1987. Claim filed in 1989 is for old well. needs to file tax.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ 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:

5-19-06

FIELD EXAMINER:

Wick

Music

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4950

WATER RIGHT NUMBER: 63-4950

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CORP PRES BISHOP LDS CHURCH REAL ESTATE DIVISION/NRS 50 E NORTH TEMPLE ST 12 TH FLOOR SALT LAKE CITY, UT 84150-6320 (801)240-4656
Current Owner	MICHAEL C HARN 5119 MAMER LN NAMPA, ID 83686 (208)467-4119
Original Owner	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS C/O L R BICE 824 WINTHER BLVD NAMPA, ID 83651
Current Owner	ROSALINDA HARN 5119 MAMER LN NAMPA, ID 83686 (208)467-4119

Priority Date: 04/01/1929
Basis: Statutory Claim
Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To
3/15 to 11/15

Diversion Rate

0.400 CFS

Annual Volume

13.5 cfs

Total Diversion:

0.400 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

GE
NE 1/4 SE 1/4

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

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	02W	26	11.5	7.5	19.0		

Total Acres: 19

Conditions of Approval:

- NAMPA STAKE OWNERSHIP CHANGED BY LH 2/6/97.

no remarks

Parcel #

claimant doesn't own property

MEMORANDUM TO CLAIM FILE

TO: CLAIM FILE NO. 63-4950
FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: CLAIM FILE REVIEW – CLAIMANT CONTACT
DATE: 3/24/2006
CC:

Claimant Michael Harn came into the office today in response to an evidence of priority letter he received from me. The original claimed filed by the LDS church was for 20 acres with a 1929 priority date. He sold about 15 acres and still owns 4.5 acres. The well is an artesian well.

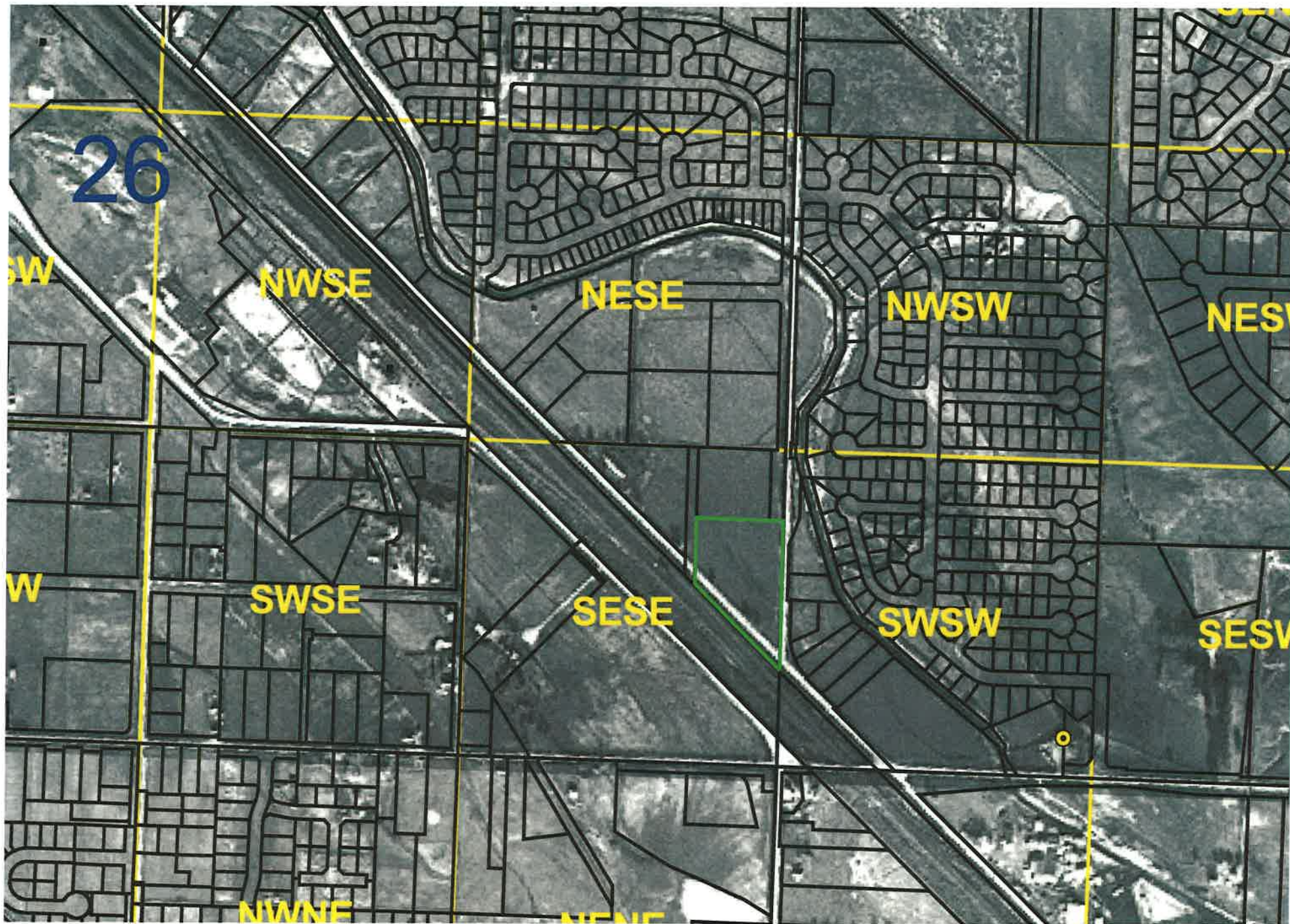
I explained to him the need for the evidence of priority. He said he could get statements from old time church members. The well was installed and used for irrigation by the church. I told him that with the evidence I would recommend irrigation for 4.5 acres.

He explained to me the property had been condemned by either Canyon Co, City of Nampa for construction of an overpass. They did not pay him for a water right because they said that he did not have one.

I told him that was correct because right now, he has a claim but that with the evidence of priority I would recommend it to the Court and it would be decreed as a water right, probably sometime next year. I explained that we look to historical use although I did not know how the imminent domain process affected water claims and rights. He has retained an attorney and the attorney told him to see us and find out how much the well was worth. I told him that I did not have that information.

He will get me the evidence of priority.

VLM



63-4950 - 1939 AERIAL - CLAIMANT CURRENTLY OWNS THE POU IN GREEN WHICH IS 3.87 ACRES.
THE ORIGINAL CLAIM WAS FOR 20 ACRES.

WATER RIGHT NUMBER: 63-4950

Owner Type

Current Owner

Name and Address

CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
 C/O L R BICE
 824 WINTHER BLVD
 NAMPA, ID 83651

Priority Date: 04/01/1929

Basis: Statutory Claim

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.400 CFS

Annual VolumeTotal Diversion:

0.400 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SE1/4

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

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													20.0				20.0

Total Acres: 20

Conditions of Approval:Remarks:Comments:

REAL PROPERTY INQUIRY

+++++

01 6R31822-000- -0 118-00 N SCH131+ 14 91,000 2.09

+++++ 36 419,300

THUESON, S LANCE +

& THUESON, M JANEL H/W +

+

+

+

1835 SOUTHSIDE BLVD +

NAMPA ID 83686 +

+++++

26-3N-2W SE + TOTAL 510,300 2.09

TX 97204 IN SESE LS KINGS RD ++++++

+ SURVEY INST 9712653

+ DRAIN DR VALUE APPR RIC

+ CLASS IN REAP 01 MAN 00 UNIT 0

505 S KINGS RD, NA

+ PARCEL 6R03N02W269000 H/O N C/B N

+ PRIOR ACCOUNT 5R31822-000- -0

+ 02 MH on Property NO

+ 03 Traits 04 Companion Sheet

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R31822000 0 UNIT 001 TOTAL UNITS

SITE 505 S KINGS RD NA SEC/TWN/RNG 26-3N-2W

ASSESSED VALUE 510,300 ACREAGE 2.09

SUB/PARK NAME YEAR/MAKE

CLASS IN INDUSTRIAL SPACE LOT BLOCK

+++++

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS OUTBUILDINGS ONLY

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4950

02/07/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2762	Claim	03N	02W	26	NE	SE		IRRIGATION	8/9	JANE I OLSON
4950	Claim	03N	02W	26	NE	SE		IRRIGATION	11.5/19	MICHAEL C HARN
2762	Water Right	03N	02W	26	NE	SE		IRRIGATION	9/9	ALLEN LESTER MC CAIN
4950	Water Right	03N	02W	26	NE	SE		IRRIGATION	20/20	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
7977	Water Right	03N	02W	26	NE	SE		IRRIGATION	8/28	ALLEN LESTER MC CAIN
2762	Claim	03N	02W	26	SE	SE		IRRIGATION	1/9	JANE I OLSON
4950	Claim	03N	02W	26	SE	SE		IRRIGATION	7.5/19	MICHAEL C HARN
5071	Claim	03N	02W	26	SE	SE		IRRIGATION	10/10	TRUELLEN R MC CRACKEN
5071	Water Right	03N	02W	26	SE	SE		IRRIGATION	10/10	TRUELLEN R MC CRACKEN
5071	Claim	03N	02W	26	SE	SE		STOCKWATER		TRUELLEN R MC CRACKEN
21515	Water Right	03N	02W	26	SE	SE		STOCKWATER		MARY M BURRI
28390	Water Right	03N	02W	26	SE	SE		STOCKWATER		DAVID L HENNESSEY
21515	Water Right	03N	02W	26	SE	SE		DOMESTIC		MARY M BURRI
28390	Water Right	03N	02W	26	SE	SE		DOMESTIC		DAVID L HENNESSEY

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 CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS
(Name of Claimant)
CL L. R. BICE, 824 WINTER BLVD., NAMPA, ID 83651 Telephone No. _____
(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) April, 1929

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

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>240</u>	Use <u>IRRIGATION</u>	Period of Use From <u>MAR 15</u>	To <u>NOV. 15</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____

- (4) 0.40 TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE $\frac{1}{4}$ SE $\frac{1}{4}$, 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. *Well w/pump*

- (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]

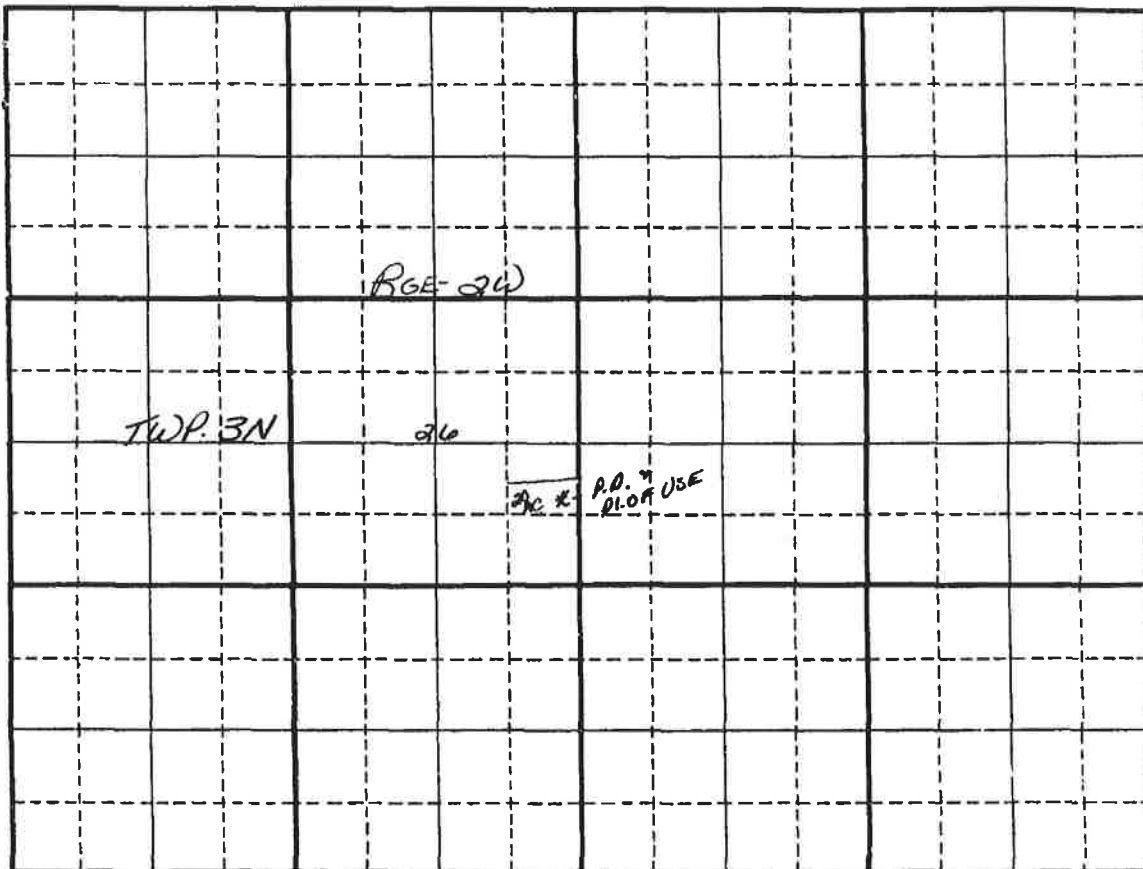
No. of acres 20

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(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 Canyon) 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.

Sworn to before me this 19 day of January

L. R. Lise
(Claimant)
Harry W. Shantz
Notary Public
Residing at Nampa Idaho.

My commission expires 10-22-83

RECORDED
INDEXED

FOR DEPARTMENT USE ONLY

Received by <u>mm</u>	Date <u>1-20-83</u>	Exception filed by:	Forwarded to	Date
Valm. check by <u>GLS</u>	Date <u>1-27-83</u>		claimant by:	
00 fee received by <u>SP</u>	Date <u>1/24/83</u>	<u>23132</u>		
Published in <u>Press-Tribune</u>				
Dates <u>2/24 & 3/3/83</u>				

Field Investigation Report

Completed by **Karan Waters**

Claim Number 63-4950

Contact:

Contact Date: 10/17/02

MICHAEL HARN

505 S. Kings Rd

NAMPA ID 83686

(208)467-4119

☒ **Verified**

☐ **New owner**

Source of Information

Claimant

Contact Comments

take garrity offramp, left under freeway past McD's around 2 curves, King's rd turn left, go down 2 hills. WHITE WAREHOUSE WITH BLUE ROOF ON RIGHT. Artesian free flowing well and possibly a weir.

Appointment Date: 11/15/02

Appointment Time: 3:30 PM

POD id 190149

Legal Description T03N, R02W, S26, NESE

Desc of Diversion W well, pump & pipeline ARTESIAN WELL, 8" CASING

Site Tag # A0002099

GPS File Name 006

Motor Make

Pump Make

Horsepower 0

Pressure gage 0 psi

pump bowl or static

Depth level 0 Ft.

dyn. pump level 0 Ft.

POD Remarks:

6'x4'x3'4" above ground , open cement tank around well fills in 1min. 50 sec. with well cap loosened. 3/4" faucet valve on well casing allows 1gal. per 31 sec. Flow is restricted by either cap or valve so this is not an accurate flow calculation. Bucket measurement = 1 gal. In 31 sec. Through 3/4" valve. 8" perforated plastic pipe is attached to outlet of cement tank to deliver water to the hay field.

Most of the land originally irrigated has been sold and developed into business warehouses and offices. They are not using this same well. Claimant says irrigation is now 4.5 ac. In the SESE. (See Gis map)

Pressure gage at sprinkler 0 psi

Bucket Measurment (gps) 0.03

Calc Method: Bucket

Flow (cfs) 0.00

Photos

dsc00051 warehouses on NESE portion

dsc00170 pou facing west

dsc00171 pod facing east



DSC 00051 ABOVE AND DSC 00170 BELOW





DSC 00171

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-04950

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													11.5			7.5	19
GIS																11.7			7.3	19
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 19

Overlapping POU Claim #'s:

Total GIS Acres: 19

COMMENTS:

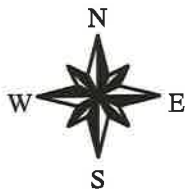
Per Transfer map. Legal desc. in POD database is incorrect,
as indicated in transfer

Idaho Department of Water Resources

Claim Number: 63-04950
Legal: T03N, R02W, S26
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



0 0.25 Miles

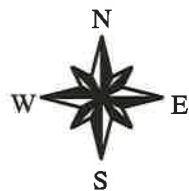
Idaho Department of Water Resources

Claim Number: 63-04950

Legal: T03N, R02W, S26

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



04/03

1987 Napp Photo

