

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-30962
Date Received: 6/18/1998
Receipt No: C042629
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KENDALL BENDER Phone: (208)442-1883
6311 E POWERLINE
NAMPA ID USA 83687

MONICA BENDER Phone: (208)442-1883
6311 E POWERLINE
NAMPA ID USA 83687

2. Date of Priority: 05/29/1998

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01W	29	NW NW	CANYON	

5. Description of diverting works:

WELL, PUMP, AND PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01W	29	NW	NW	DOMESTIC	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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

RECEIVED

SEP 21 2006

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-30962				

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OCT 10 2006

WATER RESOURCES
WESTERN REGION

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

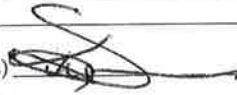
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) PETER KRANSE / JENNIFER KRANSE
6311 E. POWERLINE
4. New Owner/Claimant(s) KENDALL & MONICA BENDER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 6311 E. POWERLINE
- City, State and ZIP Code NAUWA ID 83687
- New Telephone Number 208 442-1883
5. Date you acquired the property 11-04

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)  Monica Bender
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AJL AJ Date 10-13-06 WR _____ Date _____

READ AND APPROVED

MB

ALLIANCE

TITLE & ESCROW CORP.

WARRANTY DEED

Order No.: AT-5100415455JM

FOR VALUE RECEIVED

Peter A. Krause and Jennifer M. Krause, husband and wife,
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Kendall Bender and Monica Bender, Husband and Wife,
whose current address is

6311 E. Powerline Rd., Nampa, ID, 83687,

the grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:

Parcel I:

A portion of the Northwest Quarter of the Northwest Quarter of Section 29, Township 3 North, Range 1 West of the Boise Meridian, Canyon County, Idaho, more particularly described to wit:

Commencing at a found brass monument marking the Northwest corner of Section 29, Township 3 North, Range 1 West of the Boise Meridian, Canyon County, Idaho; thence South 00°00'00" West 151.00 feet along the Westerly boundary of the Northwest

Quarter of the Northwest Quarter to a PK Nail; thence

South 89°29'52" East 152.75 feet (formerly stated as South 89°30'00" East) to a set ½" iron pin with a plastic cap, THE REAL POINT OF BEGINNING; thence

North 00°00'00" East 90.00 feet parallel with the Westerly boundary of the said Northwest Quarter; thence

North 07°55'22" West 61.66 feet to a set PK Nail on the Northerly boundary of the said

Northwest Quarter of the Northwest Quarter said point being

South 89°29'52" East 144.25 feet along the Northerly boundary from the Northwest corner of said Section 29; thence

South 89°29'52" East 144.25 feet (formerly stated as South 89°30'00" East) along the

Northerly boundary of the said Northwest Quarter of the Northwest Quarter; thence

South 00°00'00" West 151.00 feet; thence

North 89°29'52" West 135.75 feet to the REAL POINT OF BEGINNING.

Parcel II:

A non-exclusive easement for ingress and egress over a driveway in common with the property West of and adjacent to Parcel I, said common driveway easement described as follows:

A portion of the Northwest Quarter of the Northwest Quarter of Section 29, Township 3 North, Range 1 West of the Boise Meridian, Canyon County, Idaho, more particularly described to wit:

Commencing at a found brass monument marking the Northwest corner of Section 29, Township 3 North, Range 1 West of the Boise Meridian, Canyon County, Idaho; thence

South 89°29'52" East along the Northerly line of said Section 29, 144.25 feet to the REAL POINT OF BEGINNING of said easement; thence continuing

South 89°29'52" East along said Northerly line 12.00 feet; thence

South 00°00'00" West parallel with the West line of said Northwest Quarter of the Northwest Quarter 61.00 feet; thence

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: A63-30962
Date Received: 6/18/1998
Receipt No: C042629
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PETER KRAUSE 208-463-0944
Address: 6311 E POWERLINE
Nampa ID 83687
OR
Name: JENNIFER KRAUSE 208-463-0944
Address: 6311 E POWERLINE
Nampa ID 83687
2. Date of Priority: MAY 29, 1998
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	29		NW	NW		CANYON
5. Description of diverting works:
WELL, PUMP, AND PIPELINE.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	29	NW	NW		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

RECEIVED

JUN 18 1998

Form No. 42-1409 (2) b 9/88

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

Department of Water Resources

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

CIVIL CASE NUMBER: 39576

Identification No. A6330962Date Received 6/18/98Receipt Number 1042629NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JUN 25 1998

WATER RESOURCES
WESTERN REGION

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use Is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Peter Krause or Jennifer Phone (208) 463-0944Mailing Address 1031 E. Powerline Nampa ID Zip 836872. Date of Priority (Only one per claim) (5-29-98) Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3N Range 1WSection 29, 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, BM.,County of Canyon

Additional points of diversion if any: _____

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

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only: See Instructions.)

For Domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount .04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) one home

10. Place of use is: Township: 3N Range 1W
Section 29 NW 1/4 of NW 1/4, Govt. Lot #, B.M.,
County of Canyon for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
none

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s).

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Janifra Mause

Date 6/18/98

Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____

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

Signature of Authorized Agent _____

Date _____

Title and Organization _____

State of Idaho/or _____

County of Ada

SS.

Subscribed and sworn (or affirmed) before me this 18th day of June 19 98

SEAL

Notary Public Christine L. Maxson

Residing at Nampa, Idaho

My Commission Expires 1-21-2000

Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

10/13/2006

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

RIGHT NUMBER: 63-30962

NAME AND ADDRESS: KENDALL BENDER
6311 E POWERLINE
NAMPA ID 83687

MONICA BENDER
6311 E POWERLINE
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/29/1998

POINT OF DIVERSION:

T03N R01W S29 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within CANYON County

T03N R01W S29 NWNW

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 13, 2006

KENDALL BENDER
MONICA BENDER
6311 E POWERLINE
NAMPA ID 83687

Re: Water Right No. 63-30962

Dear Mr. & Mrs. Bender:

Enclosed is a copy of the above referenced **Recommendation of Water Right**, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

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

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:1
Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 22, 2006

Kendall and Monica Bender
6311 E. Powerline
Nampa, ID 83687

RE: Notice of Change of Water Right Ownership 63-30962

Dear Claimant(s):

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was previously submitted to our office. However, the Homestead Documents submitted are not sufficient proof of ownership. We require a **Warranty Deed** with a legal description of the property by township range and ¼ ¼ to process any changes in ownership.

Please return the Change of ownership with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any further questions.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RECEIVED

OCT 10 2006

WATER RESOURCES
WESTERN REGION

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
02 1A \$ 0.00
0004310839 OCT
MAILED FROM ZIP CODE

↑ Return to sender
No longer lives at this
address



RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

JENNIFER KRAUSE

PETER KRAUSE
6311 E POWERLINE
NAMPA ID 83687

63-30962

08/22/2006

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

RIGHT NUMBER: 63-30962

NAME AND ADDRESS: JENNIFER KRAUSE
6311 E POWERLINE
NAMPA ID 83687

PETER KRAUSE
6311 E POWERLINE
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/29/1998

POINT OF DIVERSION:

T03N R01W S29 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within CANYON County

T03N R01W S29 NWNW

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 23, 2006

KENDALL BENDER
MONICA BENDER
6311 E POWERLINE RD
NAMPA ID 83687

RE: NOTICE OF CLAIM NO(S): A63-30962

Dear Mr. & Mrs. Bender:

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in the ownership for the above claim(s). IDWR records currently show the following name and address as the owner of the claim(s) listed above:

**PETER KRAUSE
JENNIFER KRAUSE
6311 E POWERLINE
NAMPA ID 83687**

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records.

If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at (208) 334-2190.

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region

LH:1
Enclosures

REAL PROPERTY INQUIRY

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+++++
01 6R30638-011- -0 144-00 N SCH131+ 12 30,000 .48
+++++
34 76,700
BENDER KENDALL +
BENDER MONICA H/W +
+
+
+
6311 E POWERLINE RD +
NAMPA ID 83687 +
+++++
29-3N-1W NW + TOTAL 106,700
TX 98431 IN NWNW +
+ SURVEY INST 200464747
+ DRAIN DR VALUE APPR KMP
+ CLASS 2 REAP 03 MAN 02 UNIT 1
+ PARCEL 6R03N01W293208 H/O Y C/B N
+ PRIOR ACCOUNT 5R30638-011- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

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MODE:F ACTION:

TRAITS INQUIRY

TRQK318

```

ACCOUNT NUMBER R30638011 0 UNIT 001 TOTAL UNITS 1

SITE 6311 E POWERLINE RD NA SEC/TWN/RNG 29-3N-1W
ASSESSED VALUE 106,700 ACREAGE .00
SUB/PARK NAME YEAR/MAKE
CLASS 2 OWNER / OCCUPIED HOUSE CLASS ' 2' SPACE LOT BLOCK
+++++
YR BUILT 1970 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING GAS FA CARPORT SQ FT
FIRST SQ FT 1938 EXTERIOR METAL SIDING DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 3.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE A2 NEIGHBORHOOD 0
GARAGE SQ FT 552
+++++
COMMENTS MOVE ON, REMOD 98, MPS 9 X 10 MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

MODE:F ACTION:

COMPANION SHEET INQUIRY

TRQK361

```

01 ACCOUNT: 6R30638-011- -0 AREA 144-00 DRAIN VALUE CLASS 2 H/O Y
SEC 29 TWN 3N RNG 1W QTR NW CITY/SUB 0 BLK LOT 3208
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
BENDER, KENDALL KRAUSE, PETER A
& BENDER, MONICA H/W & KRAUSE, JENNIFER M H/W

```

MAILING ADDRESS

LEGALS

6311 E POWERLINE RD
NAMPA ID 83687

29-3N-1W NW
TX 98431 IN NWNW

SITE ADDRESS
6311 E POWERLINE RD NA

COMMENTS

REMARKS

PRIOR ACCOUNT 5R30638011 0
PARCEL 03N01W293208 SRVY
INSTR 200464747 ACRES .48
SPLIT YR 1995 DOCUMENT WD
DATE DONE 12/21/2004 INITIALS GJ
THIS ACCOUNT HAS OWNERSHIP TRACK RECORD!

9509521,9707496,9726735,9730032
SPLIT .02AC TO R30638-000- -0
9821024,200464747

02 Ownership Tract Record