

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: A63-30960  
Date Received: 6/11/1998  
Receipt No: W024006  
Received By: FW

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAMES E MARION 208-461-2068  
Address: 2701 SUNNYRIDGE RD  
NAMPA ID 83686

AND/OR

Name: SUSAN J MARION 208-461-2068  
Address: 2701 SUNNYRIDGE RD  
NAMPA ID 83686

2. Date of Priority: JUN 1, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 02N      | 02W   | 3       |        | NE     | NW     | 3   | CANYON |

5. Description of diverting works:  
WELL & PUMP

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:  
DOMESTIC, 1 HOME & 1 APARTMENT

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 02N      | 02W   | 3       | NE     | NW  | 3   | 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:  
NAMPA-MERIDIAN IRRIGATION

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 3

**For Individuals:**

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

Signature of Claimant(s): James E. Marion Date: 6-11-98  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 11<sup>th</sup> day

of June 19 98

Kathleen A. Walker  
Notary Public

Seal

Residing at Bowle, Idaho  
My Commission Expires 2-14-1999

67-48828

## WARRANTY DEED

FOR VALUE RECEIVED ALVIN L. CHAMBERLAIN and WANDA B. CHAMBERLAIN, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto JAMES MARION and SUSAN MARION, husband and wife

the Grantees, whose address is 2701 SUNNY RIDGE ROAD, NAMPA, ID 83686-8413

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1998 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: May 15, 1998

Alvin L. Chamberlain  
ALVIN L. CHAMBERLAIN

Wanda B. Chamberlain  
WANDA B. CHAMBERLAIN

STATE OF IDAHO  
COUNTY OF CANYON

On this 16 day of May, 1998, before me a notary public, personally appeared ALVIN L. CHAMBERLAIN AND WANDA B. CHAMBERLAIN, known or identified to me to be the person(s) who(ase) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

Blanco E. Acosta  
Notary Public  
Residing at GREENLEAF, Idaho  
My commission expires: 9-1-9



PIONEER TITLE COMPANY  
OF CANYON COUNTY

100 10TH AVE SOUTH  
NAMPA, IDAHO 83651

423 SOUTH KIMBALL  
CALDWELL, ID 83605

ATTN Amy

**EXHIBIT "A"**

**A parcel of land being a portion of Lot 2 of ASSELIN'S SUBDIVISION, as filed for record in the office of the Canyon County, Recorder, Caldwell, Canyon County, Idaho, in Book 3 of Plats, Page 21, lying in Government Lot 3 of Section 3, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and more particularly described as follows:**

**BEGINNING at a brass cap marking the North One-Quarter corner of said Section 3; thence South 0° 58' 20" West 1,549.80 feet along the Easterly boundary of said Government Lot 3 of Section 3, which is also the Easterly boundary of the said ASSELIN'S SUBDIVISION and the centerline of Sunny Ridge Road, to a point marking the Southeast corner of the said Lot 2 of ASSELIN'S SUBDIVISION, also said point being the REAL POINT OF BEGINNING; thence**

**North 88° 58' 10" West 195.00 feet along the Southerly boundary of the said Lot 2 of ASSELIN'S SUBDIVISION to a point; thence**

**North 0° 58' 20" East 174.81 feet along a line 195.00 feet Westerly of and parallel with the said Easterly boundary of Lot 2 of ASSELIN'S SUBDIVISION to an iron pin; thence**

**North 88° 20' 19" East 195.21 feet to a point on the said Easterly boundary of Lot 2 of ASSELIN'S SUBDIVISION; thence**

**South 0° 58' 20" West 183.98 feet along the said Easterly boundary of Lot 2 of ASSELIN'S SUBDIVISION to the POINT OF BEGINNING.**

**SUBJECT to all road right of ways and easements of record or appearing on the above described parcel of land.**

**PARCEL II:**

**A portion of Lot 1, ASSELIN'S SUBDIVISION to Canyon County, Idaho, lying in Section 3, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more fully described as follows:**

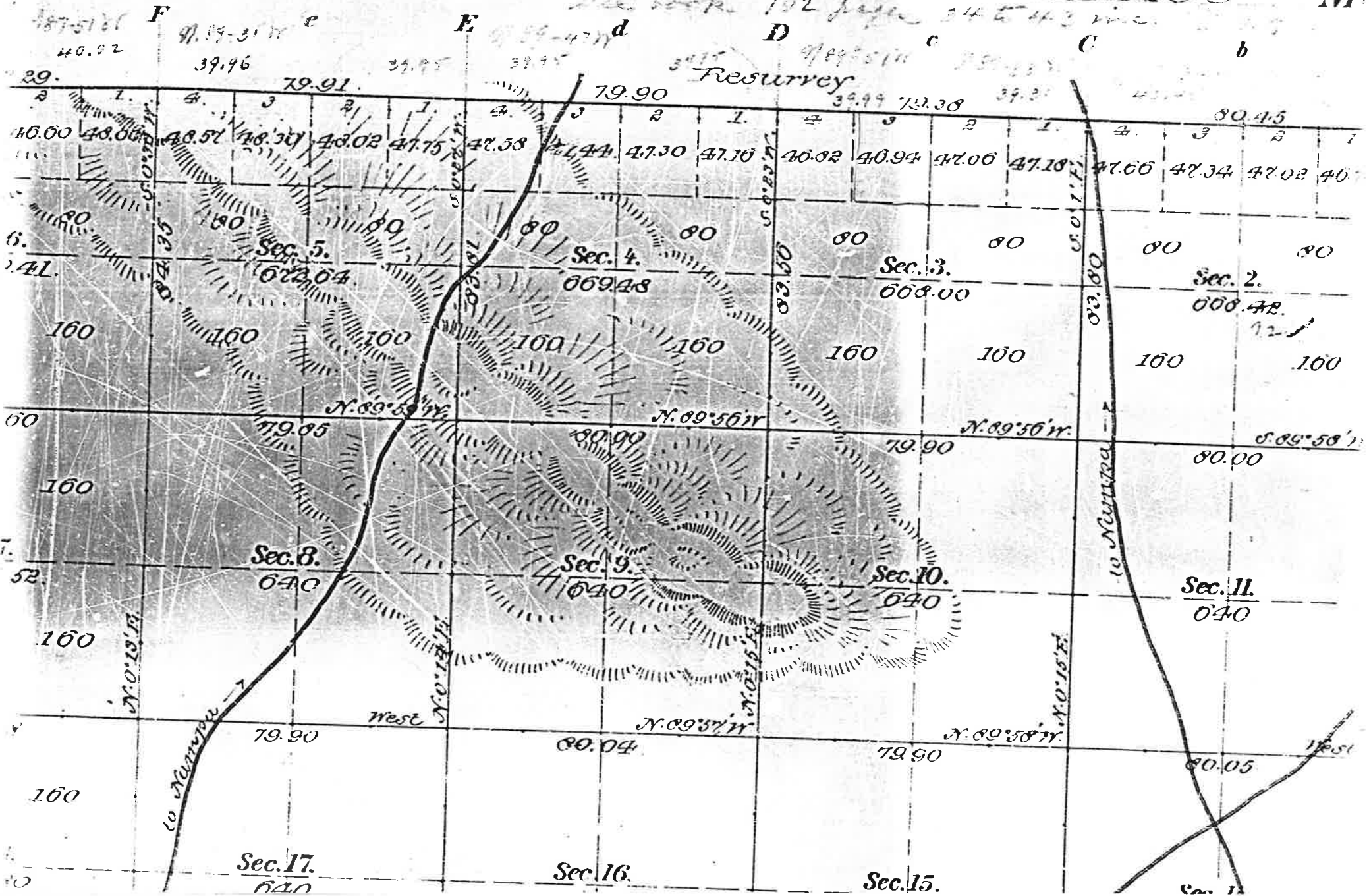
**BEGINNING at a point on the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 3, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence**

**West 175 feet to a point; thence**

**Southeasterly along the edge of the Bray Lateral to a point 200 feet South of the POINT OF BEGINNING; thence**

**North a distance of 200 feet to the POINT OF BEGINNING.**

ip N<sup>o</sup> 2 North Range N<sup>o</sup> 2 West of the Boise M.



10/03/2006

NOTICE OF ERROR  
REPLY

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

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

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

Water right number: 63-30960

JAMES E MARION  
2701 SUNNYRIDGE RD  
NAMPA ID 83686  
Telephone Number: (208)461-2068

SUSAN J MARION  
2701 SUNNYRIDGE RD  
NAMPA ID 83686  
Telephone Number: (208)461-2068

RECEIVED  
OCT 13 2006  
WATER RESOURCES  
WESTERN REGION

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

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

DATE: 10-7-06

SIGNATURE:

*Jim Marion Susan J Marion*

Please print your name: James E. Marion Susan J. Marion

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

08/22/2006

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

RIGHT NUMBER: 63-30960

NAME AND ADDRESS: JAMES E MARION  
2701 SUNNYRIDGE RD  
NAMPA ID 83686

SUSAN J MARION  
2701 SUNNYRIDGE RD  
NAMPA ID 83686

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: 06/01/1947

POINT OF DIVERSION:

T02N R02W S3 NENW Lot 3 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 and 1 apartment. |                      |                 |

PLACE OF USE: DOMESTIC Within CANYON County

T02N R02W S03 Lot 3 NENW

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

Property is also known as Asselins Subdivison.

## REAL PROPERTY INQUIRY

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+++++
01 6R20158-010- -0 208-00 N SCH131+ 15 54,360 1.48
+++++
37 109,600
MARION JAMES +
MARION SUSAN H/W +
+
+
+
+
2701 SUNNY RIDGE RD +
NAMPA ID 83686 +
+++++
03-2N-2W NW ASSELIN'S SUB 0550 + TOTAL 163,960
TX 1A IN LT 2,, TX 5 & THAT ++++++
PART N & E OF BRAY LAT IN LT 1 + SURVEY INST 9821946
+ DRAIN DR VALUE APPR WLK
+ CLASS OR REAP 04 MAN 03 UNIT 2
2701 SUNNY RIDGE RD, NA Pg 176B + PARCEL 6R00550000002E H/O Y C/B N
+ PRIOR ACCOUNT 5R20158-010- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

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MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R20158010 0 UNIT 002 TOTAL UNITS 2

SITE 2701 SUNNY RIDGE RD NA SEC/TWN/RNG 03-2N-2W

ASSESSED VALUE 163,960 ACREAGE .00

SUB/PARK NAME ASSELIN'S SUB YEAR/MAKE

CLASS OR OWNER / RENTAL SPACE LOT BLOCK

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+++++
YR BUILT 1945 AIR COND CARPORT
STORY 1 STORY HEATING ELEC BASEBOARD CARPORT SQ FT
FIRST SQ FT 816 EXTERIOR WOOD SIDING DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL?
BEDS 1 BSMT SQ FT SPA?
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE D3 NEIGHBORHOOD 0
GARAGE SQ FT 816

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COMMENTS UNIT 2 APT OVER GAR

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT