IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V2

WATER RIGHT NUMBER: 67-4149 V2

Owner Type	Name and Address
Current Owner	JOHN ROBERT SCHWENKFELDER 5500 W OLD SCHOOL LN MERIDIAN, ID 83646 (208)887-3540
Current Owner	BONNIE P SCHWENKFELDER 5500 W OLD SCHOOL LN MERIDIAN, ID 83646 (208)887-3540
Directors Report Owner	JEANNE BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331
Directors Report Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 06/01/1928

Basis: Beneficial Use

Status: Active

Source	Tributary
ANDERSON CREEK	LITTLE WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION FROM STORAGE	03/15	10/31		50.00 AF
IRRIGATION STORAGE	03/15	10/31		50.00 AF
STOCKWATER STORAGE	01/01	12/31		50.00 AF
STOCKWATER FROM STORAGE	01/01	12/31		50.00 AF
		Total Diversion:		50.00 AF

Location of Point(s) of Diversion

ANDERSON CREEK SE1/4SE1/4SW1/4 Sec. 27, Twp 14N, Rge 01W, B.M.

ADAMS County

Place of Use

IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 28				16.4													16.4

Total Acres: 16.4

IRRIGATION STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES

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Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 27							X			X							
14N 01W 28				X									X				

STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 27							X			X							
14N 01W 28				X									X				

STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 27							X			X							
14N 01W 28				X									X				

Conditions of Approval:

1. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V2

Comments:

1. csaxton 3/11/2008 Objection
Comment: Per objection, changed recommended priority date to date claimed. Additional evidence of priority submitted in form of affidavit from Gladys Johnson providing evidence of priority to 1924.

2. shemenway 3/25/2008 REDIVERSION PODs
Comment: CLAIM INCLUDED REDIVERSION PODS, BUT PER CRAIG SAXTON THESE ARE NOT REDIVERSION PODs, BUT THAT THEY SHOULD NOT BE LISTED, AND ONLY THE ONE POD FROM ANDERSON CREEK, LOCATED ON THE SW SIDE OF BEN ROSS RESERVOIR, SHOULD BE LISTED. THE WATER DIVERTED IS A CONTINUATION FROM THE SAME SOURCE THAT FLOWS THROUGH A SERIES OF PONDS.

3. shemenway 3/25/2008 POD ID TAG#
Comment: THE POD ID TAG IS LOCATED 166 FT SW OF THE POD, ON A FENCE, SINCE THE ORIGINAL FIELD EXAM WAS CONDUCTED WHEN THE THE RESERVOIR WAS FULL. THE LOCATION OF THE POD ID IS POD ID#645108 (AS SHOWN IN VERSION 1). THE ACTUAL LOCATION OF THE POD WAS GPSd WHEN THE RESERVOIR WAS DRY IN THAT LOCATION (AS SHOWN IN VERSION 2).

4. shemenway 3/25/2008 EVIDENCE OF PRIORITY
Comment: AFFIDAVIT FROM GLADYS JOHNSON PROVIDING EVIDENCE OF PRIORITY TO 1924.

5. shemenway 3/26/2008 SYSTEM
Comment: FROM POD, 30HP POOSCH, 40 PSI, 6 IN. DISCHARGE AND LINE PUMPS WATER UP THE HILL ABOUT 1/4 MILE, THAN GRAVITY FLOWS VIA DIRT DITCH TO FILL ALL 3 PONDS ONE TIME, WITH THE MAIN POND SUPPLYING WATER TO THE OTHER 2 PONDS THROUGHOUT THE REST OF THE SEASON. IT USUALLY TAKES 6 DAYS TO FILL THE PONDS. IN THE EVENT THE RESERVOIR COVERS THE POD, WATER IS ONLY PUMPED AS LONG AS ANDERSON CREEK IS RUNNING. THERE IS 4 INC. PVC FROM POND NO.1 TO POND NO.2, WITH A 8 IN. OVERFLOW AT POND NO.2 DISCHARGING TO DIRT DITCHES TO IRRIGATE OR GO TO POND NO.3. WATER IN POND NO.3 CAN BE REUSED BY PUMPING BACK ON TO THE FIELD.

6. shemenway 3/26/2008 RECOMMENDATIONM
Comment: CHANGING 33 ACRES TO 16.4 IRRIGATED ACRES, AS CONFIRMED DURING FE. BOEHM STATED THAT HE ONLY IRRIGATED THE 16.4 ACRES, AND NEVER THE WHOLE AMOUNT CLAIMED. AFY STAYED THE SAME AS CLAIMED. OWNERSHIP WAS CHANGED FROM BOEHM TO SCHWENKFELDER, AND ONLY THE ONE POD FROM ANDERSON CREEK WILL BE LISTED, WITH NO REDIVERSION PODS (PER CRAIG SAXTON) SINCE ALL WATER COMES FROM THE SAME POD AND CONTINUES THROUGH THE SYSTEM.

7. shemenway 3/26/2008 CFS
Comment: LEFT IRRIGATION FROM STORAGE AT 50.O AF, AND DID NOT ADD 0.33 CFS FOR ACRES IRRIGATED, SINCE THIS IS IRRIGATION FROM STORAGE (APPROVED BY CRAIG SAXTON)

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V2

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Summary			03/11/2008	csaxton	Active
Contacts	3/25/2008 2:12:27 PM	shemenway			Active
POD	3/25/2008 3:46:42 PM	shemenway			Active
Priority Date	3/25/2008 3:49:05 PM	shemenway			Active
Source	3/25/2008 3:50:04 PM	shemenway			Active
POU	3/25/2008 3:53:39 PM	shemenway			Active
Use	3/25/2008 3:53:45 PM	shemenway			Active
Season	3/25/2008 3:53:49 PM	shemenway			Active
Quantity	3/25/2008 3:53:50 PM	shemenway			Active
Use	3/26/2008 9:46:32 AM	shemenway			Active
Quantity	3/26/2008 11:08:51 AM	shemenway			Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
POD	3/25/2008 3:46:43 PM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Summary	3/11/2008 1:57:43 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	3/25/2008 2:12:28 PM	shemenway	(No) 1. Do you want to schedule an appointment? Comment for 1: FE CONDUCTED10/25/2006.
POU	3/25/2008 3:53:40 PM	shemenway	(No) 1. Is the basis of this claim a Decree or License?
Use	3/25/2008 3:53:47 PM	shemenway	(No) 1. Is the basis of this claim a Decree or License?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V2

Season	3/25/2008 3:53:50 PM	shemenway	(No) 1. Is the basis of claim Decree or License?
Quantity	3/25/2008 3:53:52 PM	shemenway	(No) 1. Is the basis of this claim a Decree or License?
Quantity	3/26/2008 11:08:51 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - FE conducted 10/25/2006, ponds capacity calculated, pumpback calculation, and pipe flow capacity calculated from information obtained at time of field inspection.
General	3/25/2008 3:49:07 PM	shemenway	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Gladys Johnson, verifying that the Archer Pond (locally called) was built in 1924, and the Ben Ross Reservoir was built later on in the late 1930s.
Source	3/25/2008 3:50:06 PM	shemenway	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - 2004 NAIP maps, topo maps

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V2

Use	3/26/2008 9:46:33 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - FE conducted 10/25/2006

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

WATER RIGHT NUMBER: 67-4149 V1

Owner Type	Name and Address
Current Owner	BONNIE P SCHWENKFELDER 5500 W OLD SCHOOL LN MERIDIAN, ID 83646 (208)887-3540
Current Owner	JOHN ROBERT SCHWENKFELDER 5500 W OLD SCHOOL LN MERIDIAN, ID 83646 (208)887-3540
Directors Report Owner	JEANNE BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331
Directors Report Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 09/01/1945

Basis: Beneficial Use

Status: Closed

Source	Tributary
ANDERSON CREEK	LITTLE WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION FROM STORAGE	03/15	10/31	0.330 CFS	50.00 AF
IRRIGATION STORAGE	03/15	10/31		50.00 AF
STOCKWATER STORAGE	01/01	12/31		50.00 AF
STOCKWATER FROM STORAGE	01/01	12/31		50.00 AF
		Total Diversion:		50.00 AF

Location of Point(s) of Diversion

ANDERSON CREEK ADAMS County	SE1/4NE1/4 (Rediversion)	Sec. 28,	Twp 14N, Rge 01W, B.M.
ANDERSON CREEK ADAMS County	NW1/4SW1/4 (Rediversion)	Sec. 27,	Twp 14N, Rge 01W, B.M.
ANDERSON CREEK ADAMS County	SE1/4NE1/4 (Rediversion)	Sec. 28,	Twp 14N, Rge 01W, B.M.
ANDERSON CREEK ADAMS County	SE1/4SW1/4SW1/4	Sec. 27,	Twp 14N, Rge 01W, B.M.

Place of Use

IRRIGATION FROM STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 28	X			X													

Total Acres: 16

IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 28	X			X													

Total Acres: 33

STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 27							X			X							
14N 01W 28				X													

STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 27							X			X							
14N 01W 28				X													

Conditions of Approval:

1. C18 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.

Remarks:

Comments:

1. mvanbussum 12/18/2006 NOE Priority Date
Comment: Per NOE process, spoke with claimant, who said he has been on property since September 1945. Affidavit in file 67-10134. Recommended September 1945.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	10/18/2006 11:50:09 AM	mvanbussum			Closed
Priority Date	10/18/2006 11:50:37 AM	mvanbussum			Closed
POD	10/18/2006 11:51:12 AM	mvanbussum			Closed
Source	10/18/2006 2:17:19 PM	mvanbussum			Closed
POU	10/18/2006 2:18:10 PM	mvanbussum			Closed
Use	10/18/2006 4:09:50 PM	mvanbussum			Closed
Quantity	10/18/2006 4:09:54 PM	mvanbussum			Closed
Season	10/18/2006 4:09:54 PM	mvanbussum			Closed
POD	11/13/2006 2:58:50 PM	mvanbussum			Closed
POD	11/13/2006 3:36:55 PM	mvanbussum			Closed
POU	11/13/2006 3:40:42 PM	mvanbussum			Closed
POU	11/15/2006 11:56:28 AM	mvanbussum			Closed
POU	11/15/2006 1:56:16 PM	mvanbussum			Closed
Season	11/30/2006 5:30:02 PM	mvanbussum			Closed
Quantity	11/30/2006 5:32:44 PM	mvanbussum			Closed
Summary			11/30/2006	mvanbussum	Closed

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POD	11/13/2006 2:59:11 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Season	11/30/2006 5:30:04 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/30/2006 5:32:47 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Measurement conducted by Sandy Hemenway during field exam 10-25-2006 using sizing from a drawing from claimant and 2004 NAIP imagery.
Summary	11/30/2006 5:33:34 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POU	11/15/2006 1:56:17 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10-25-2006.
Contacts	10/18/2006 11:50:09 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam conducted 5-5-05.
General	10/18/2006 11:50:37 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Delbert Ogle provides evidence of priority to 1953.
POD	10/18/2006 11:51:12 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	10/18/2006 2:13:50 PM	mvanbussum	Updated shape
POD	10/18/2006 2:14:30 PM	mvanbussum	Updated shape
POD	10/18/2006 2:15:15 PM	mvanbussum	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

Source	10/18/2006 2:17:19 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam conducted 05-05-2005 verifies Anderson Creek as source.
POD	10/18/2006 2:12:44 PM	mvanbussum	Updated shape
POD	10/18/2006 2:13:07 PM	mvanbussum	Updated shape
POU	10/18/2006 2:18:10 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 05-05-2005 verifies POU.
POD	10/18/2006 2:09:08 PM	mvanbussum	Updated shape
POD	10/18/2006 2:10:43 PM	mvanbussum	Updated shape
Use	10/18/2006 4:09:50 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
Season	10/18/2006 4:09:54 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License?
Quantity	10/18/2006 4:09:54 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
POD	11/13/2006 3:37:22 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POU	11/13/2006 3:41:09 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10/25/2006.
POU	11/15/2006 11:56:28 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10-25-2006.

SubCase:

SubCase Number: 67-4149
Class: 1
SF5 Filed Date: 3/7/2008
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Monica Van Bussum
Basis of Claim: Beneficial Use
Date Filed: 2/7/2007 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4149

NAME AND ADDRESS: JOHN ROBERT SCHWENKFELDER
5500 W OLD SCHOOL LN
MERIDIAN ID 83646

BONNIE P SCHWENKFELDER
5500 W OLD SCHOOL LN
MERIDIAN ID 83646

SOURCE: ANDERSON CREEK TRIBUTARY: LITTLE WEISER RIVER

QUANTITY: 50.00 AFY

PRIORITY DATE: 06/01/1928

POINT OF DIVERSION:

T14N R01W S27 SESESW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	03/15 10/31	50.00 AFY
IRRIGATION STORAGE	03/15 10/31	50.00 AFY
STOCKWATER STORAGE	01/01 12/31	50.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	50.00 AFY

PLACE OF USE:

IRRIGATION STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE	T14N R01W S28	NESE

IRRIGATION FROM STORAGE in ADAMS County

T14N R01W S28 SENE 16.40

STOCKWATER STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE	T14N R01W S28	NESE

STOCKWATER FROM STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE	T14N R01W S28	NESE

16.4 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

Idaho Department of Water Resources

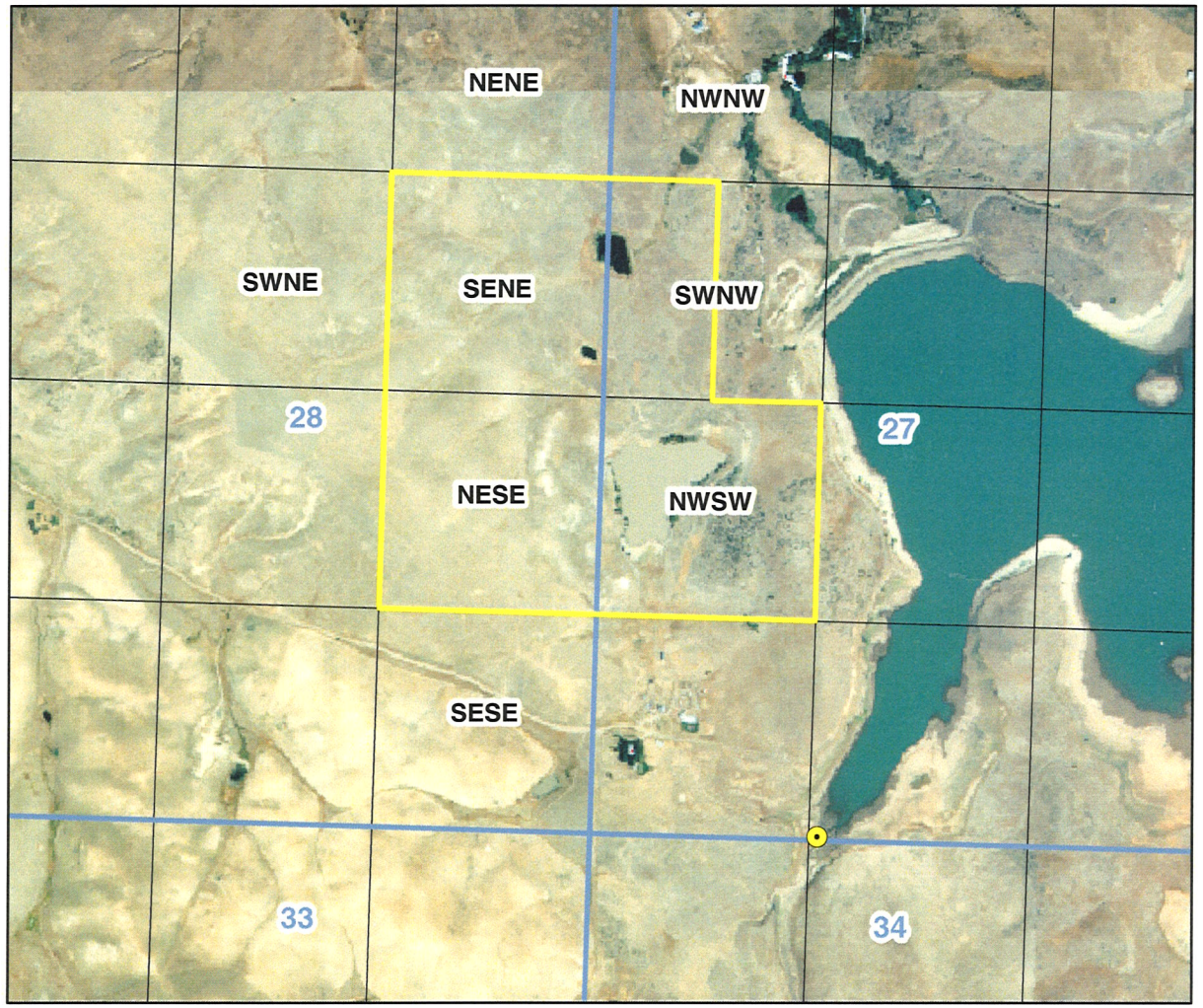
SRBA Recommendation

67-4149

(STOCKWATER FROM STORAGE)

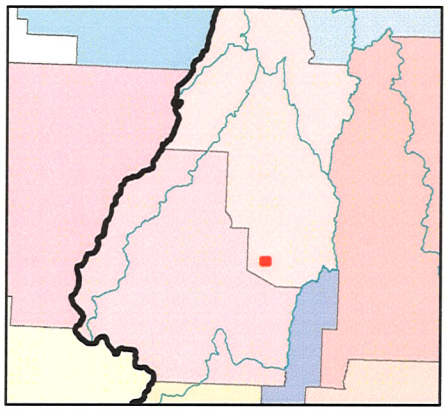
R01W

T14N



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Adams County
IDWR Basin 67

N

0 0.2 0.4 0.8 Miles

Prepared by Sandy Hemenway
On Wednesday, March 26, 2008
1987/88 Aerial Photography

Idaho Department of Water Resources

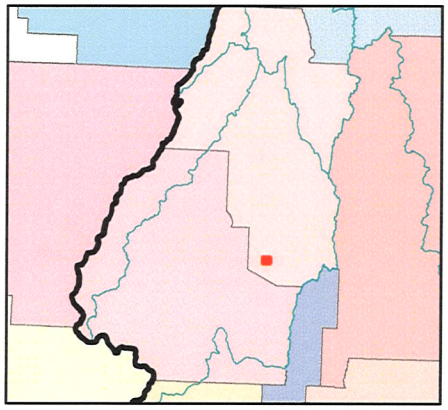
SRBA Recommendation

67-4149

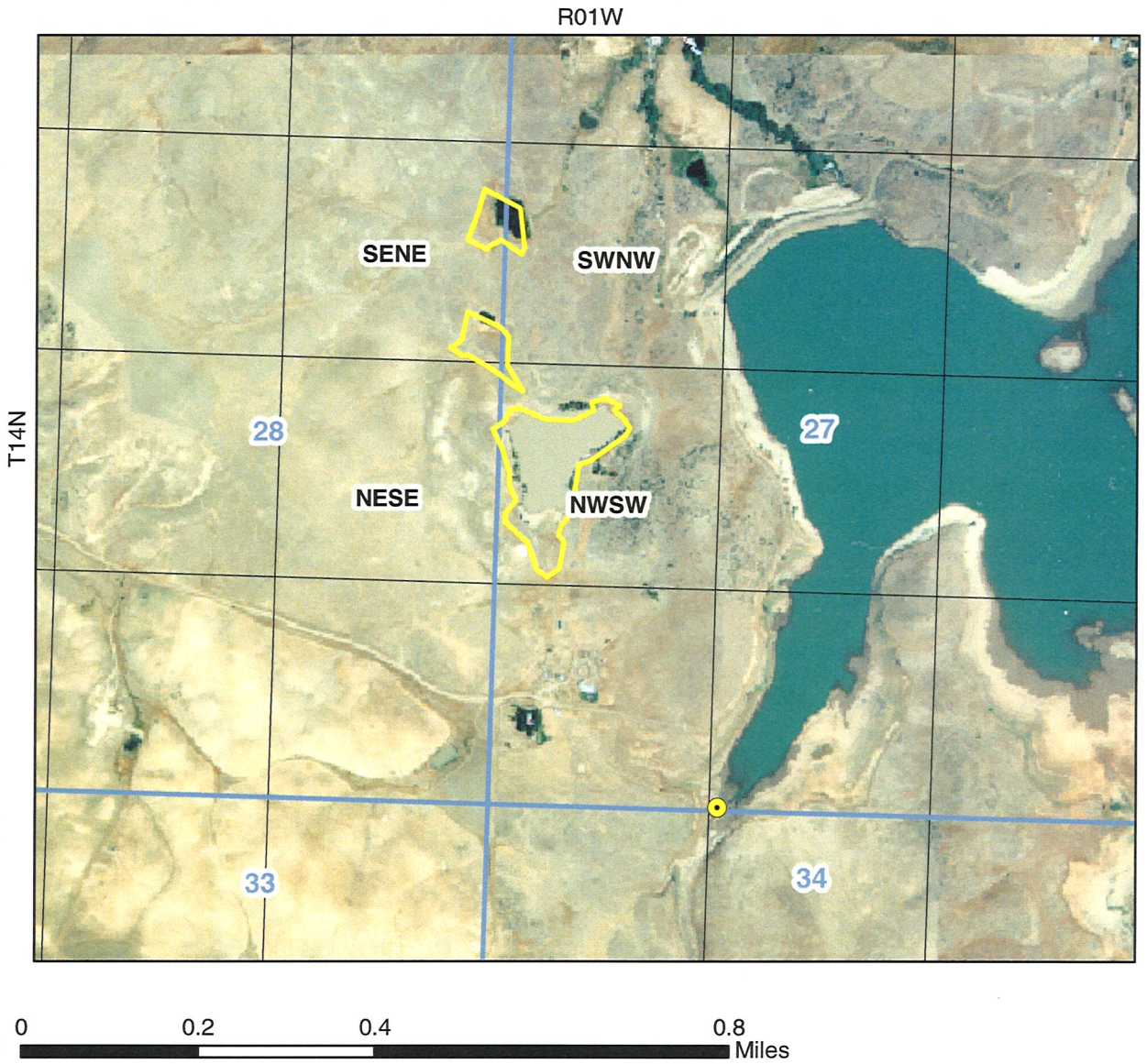
(STOCKWATER STORAGE)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Adams County
IDWR Basin 67



Prepared by Sandy Hemenway
On Wednesday, March 26, 2008
1987/88 Aerial Photography

Idaho Department of Water Resources

SRBA Recommendation
67-4149
(IRRIGATION STORAGE)

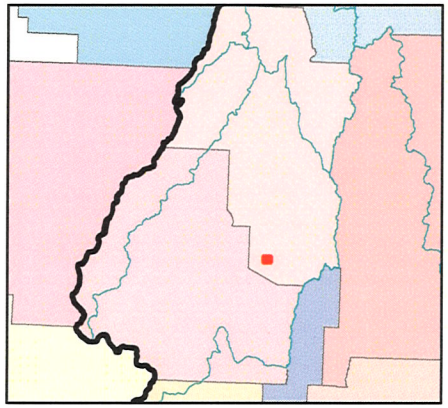
R01W

T14N



Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Adams County
IDWR Basin 67

N

0 0.2 0.4 0.8 Miles

Prepared by Craig Saxton
On Wednesday, March 26, 2008
1987/88 Aerial Photography

Idaho Department of Water Resources

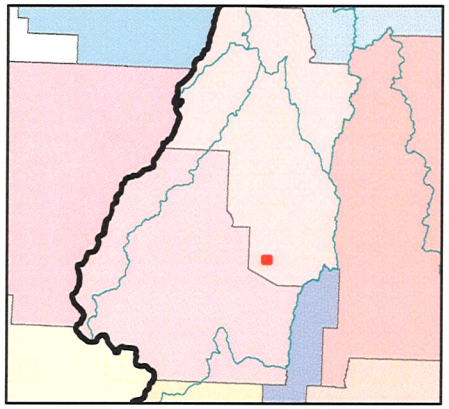
SRBA Recommendation

67-4149

(IRRIGATION FROM STORAGE)

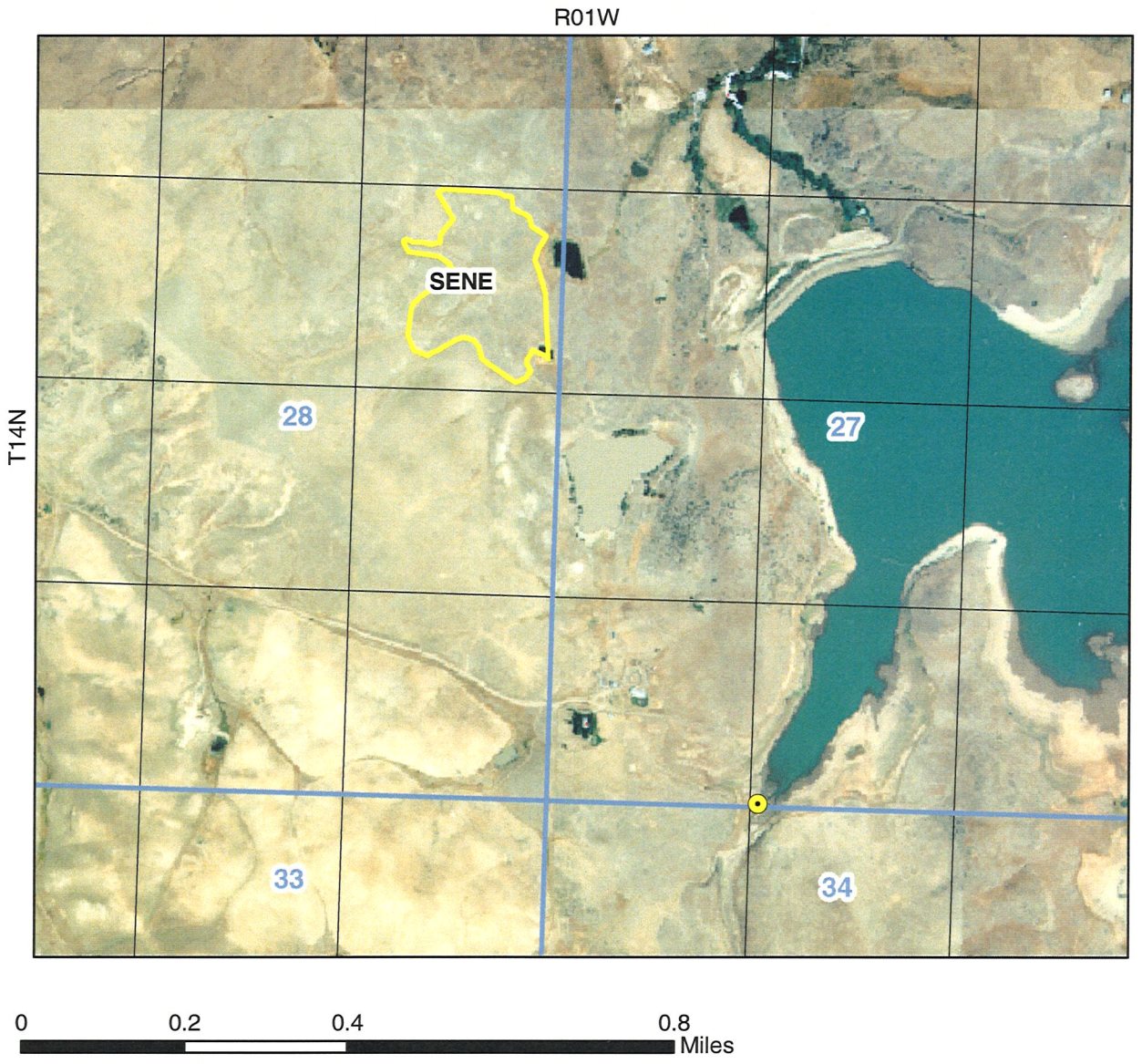
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

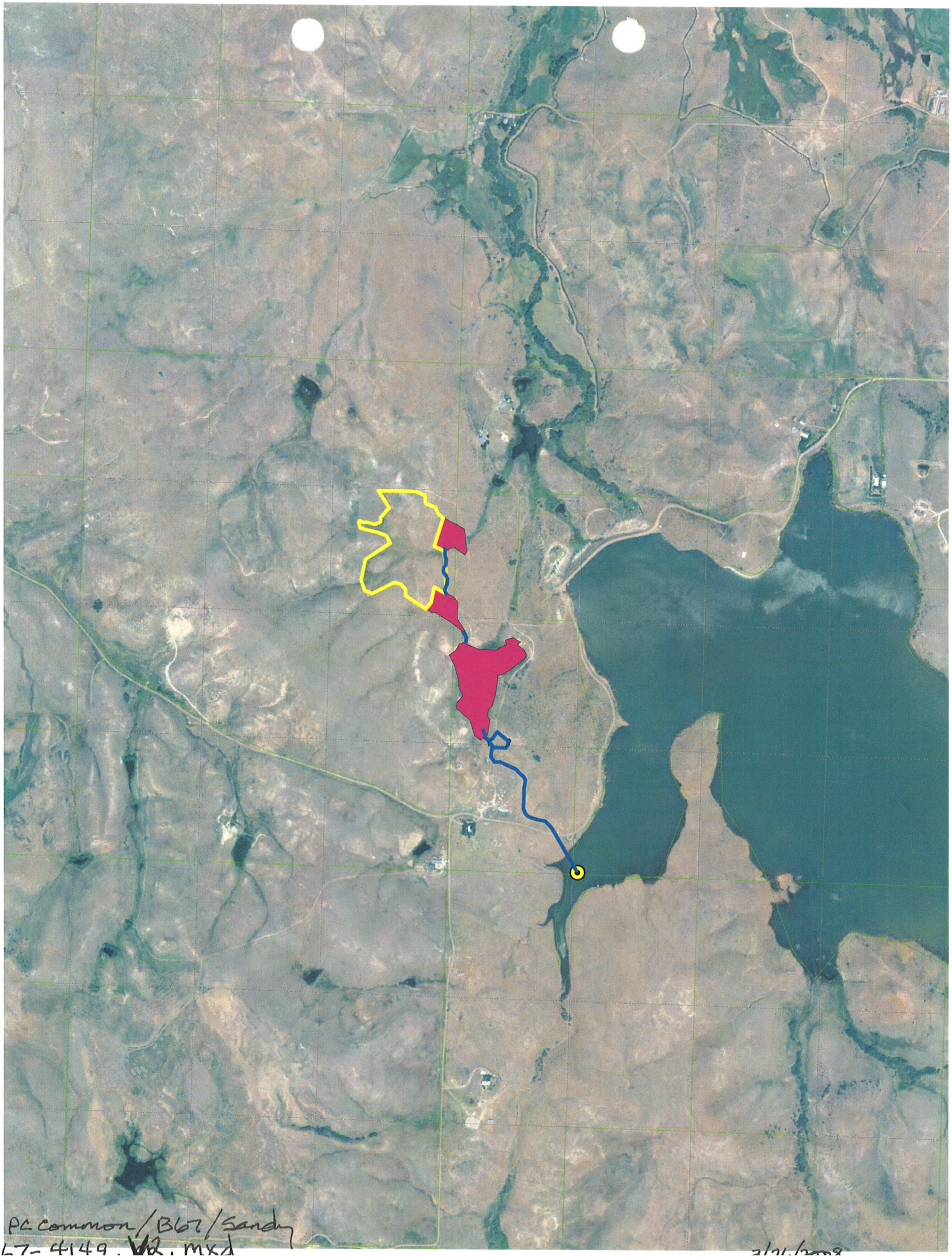


Adams County
IDWR Basin 67





Prepared by Craig Saxton
On Wednesday, March 26, 2008
1987/88 Aerial Photography



PC common/B67/Sandy
L7-4149.V2.mxd

RECEIVED
MAR 20 2008
DEPARTMENT OF
WATER RESOURCES

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 67-4149
Date Received: 12/13/1989
Receipt No: W007112
Received By:

Amended **Amended**

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LARRY L BOEHM Phone: (208)256-4331

2203 BEN ROSS
INDIAN VALLEY ID USA 83632

2. Date of Priority: 06/01/1928

3. Source: ANDERSON CREEK , ANDERSON CREEK , ANDERSON CREEK , ANDERSON CREEK Trib. to: LITTLE WEISER RIVER , LITTLE WEISER RIVER , LITTLE WEISER RIVER , LITTLE WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
14N	01W	28		SE	NE	ADAMS	R
14N	01W	27		NW	SW	ADAMS	R
14N	01W	27	SE	SW	SW	ADAMS	
14N	01W	28		NE	SE	ADAMS	R

5. Description of diverting works:

PUMP,PIPELINE APPROX 1/4 M.TO RES.THEN OVERFLOW INTO 2 SM. PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	1/01	12/31		50
IRRIGATION FROM STORAGE	1/01	12/31		50
STOCKWATER STORAGE	1/01	12/31		50
STOCKWATER FROM STORAGE	1/01	12/31		50

7. Total Quantity Appropriated is:
50 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14N	01W	27	SW	NW		IRRIGATION STORAGE	
			NW	SW		IRRIGATION STORAGE	
			SW	NW		STOCKWATER FROM STORAGE	
			NW	SW		STOCKWATER FROM STORAGE	
			SW	NW		STOCKWATER STORAGE	
			NW	SW		STOCKWATER STORAGE	
14N	01W	28	SE	NE		STOCKWATER STORAGE	
			SE	NE		STOCKWATER FROM STORAGE	
			SE	NE		IRRIGATION STORAGE	
			~~NE~~	~~NE~~		~~IRRIGATION STORAGE~~	~~15~~
			NE	NE		IRR FROM STORAGE	15
			~~SE~~	~~NE~~		~~IRRIGATION STORAGE~~	~~18~~
			SE	NE		IRR FROM STORAGE	18
						Section Acres	33
						Total Acres	33

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

THIS RESERVOIR HAS 2 SMALL PONDS THAT TAKE OVERFLOW.
WATER IS GRAVITY FLOWS TO EACH AND THEN IS PUMPED OUT OF UPPER POND ON TO THE ACRES IRRIGATED.

15. Basis of Claim: Beneficial Use

16. Signature(s)

SCANNED
M 5 2008

(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 XX do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Larry L. Boehm Date: 3-18-08

_____ Date: _____

SCANNED
MAR 25 2008

09/21/2007

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4149

NAME AND ADDRESS: LARRY L BOEHM
2203 BEN ROSS
INDIAN VALLEY ID 83632

SOURCE: ANDERSON CREEK TRIBUTARY: LITTLE WEISER RIVER

QUANTITY: 50.000 AFY

PRIORITY DATE: 06/01/1928

POINT OF DIVERSION:

T14N R01W S27 NWSW Rediversion Within ADAMS County

T14N R01W S27 SESWSW Within ADAMS County

T14N R01W S28 SENE Rediversion Within ADAMS County

T14N R01W S28 SENE Rediversion Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	03/15 10/31	0.330 CFS 50.00 AFY
IRRIGATION STORAGE	03/15 10/31	50.00 AFY
STOCKWATER STORAGE	01/01 12/31	50.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	50.00 AFY

PLACE OF USE:

IRRIGATION STORAGE in ADAMS County

T14N R01W S28	NENE	T14N R01W S28	SENE

IRRIGATION FROM STORAGE in ADAMS County

T14N R01W S28	NENE	T14N R01W S28	SENE

STOCKWATER STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

STOCKWATER FROM STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

33 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

WATER RIGHT NUMBER: 67-4149 V1

Owner Type	Name and Address
Original Owner	JEANNE BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331
Current Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 06/01/1928

Basis: Beneficial Use

Status: Active

Source	Tributary
ANDERSON CREEK	LITTLE WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION FROM STORAGE	03/15 to 10/31	0.330 CFS	50.00 AF
IRRIGATION STORAGE	03/15 to 10/31		50.00 AF
STOCKWATER STORAGE	01/01 to 12/31		50.00 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		50.00 AF
	Total Diversion:		50.00 AF

Location of Point(s) of Diversion

ANDERSON CREEK	SE1/4NE1/4	Sec. 28,	Twp 14N,	Rge 01W, B.M.
ADAMS County	(Rediversion)			
ANDERSON CREEK	NW1/4SW1/4	Sec. 27,	Twp 14N,	Rge 01W, B.M.
ADAMS County	(Rediversion)			
ANDERSON CREEK	SE1/4NE1/4	Sec. 28,	Twp 14N,	Rge 01W, B.M.
ADAMS County	(Rediversion)			
ANDERSON CREEK	SE1/4SW1/4SW1/4	Sec. 27,	Twp 14N,	Rge 01W, B.M.
ADAMS County				

Place of Use

IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N 01W 28	X			X													

Total Acres: 33

IRRIGATION STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	01W	28	X			X													

Total Acres: 33

STOCKWATER STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	01W	27							X			X							
14N	01W	28				X													

STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	01W	27							X			X							
14N	01W	28				X													

Conditions of Approval:

1. C18 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.

Remarks:

Comments:

1. mvanbussum 12/18/2006 NOE Priority Date
Comment: Per NOE process, spoke with claimant, who said he has been on property since September 1945. Affidavit in file 67-10134. Recommended September 1945.

2. mvanbussum 9/21/2007 Objection
Comment: Per objection, changed recommended priority date to date claimed. Additional evidence of priority submitted in form of affidavit from Gladys Johnson providing evidence of priority to 1924.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	10/18/2006 11:50:09 AM	mvanbussum			Active
Priority Date	10/18/2006 11:50:37 AM	mvanbussum			Active
POD	10/18/2006 11:51:12 AM	mvanbussum			Active
Source	10/18/2006 2:17:19 PM	mvanbussum			Active
POU	10/18/2006 2:18:10 PM	mvanbussum			Active
Use	10/18/2006 4:09:50 PM	mvanbussum			Active
Quantity	10/18/2006 4:09:54 PM	mvanbussum			Active
Season	10/18/2006 4:09:54 PM	mvanbussum			Active
POD	11/13/2006 2:58:50 PM	mvanbussum			Active
POD	11/13/2006 3:36:55 PM	mvanbussum			Active
POU	11/13/2006 3:40:42 PM	mvanbussum			Active
POU	11/15/2006 11:56:28 AM	mvanbussum			Active
POU	11/15/2006 1:56:16 PM	mvanbussum			Active
Season	11/30/2006 5:30:02 PM	mvanbussum			Active
Quantity	11/30/2006 5:32:44 PM	mvanbussum			Active
Summary			11/30/2006	mvanbussum	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POD	11/13/2006 2:59:11 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Season	11/30/2006 5:30:04 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/30/2006 5:32:47 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Measurement conducted by Sandy Hemenway during field exam 10-25-2006 using sizing from a drawing from claimant and 2004 NAIP imagery.
Summary	11/30/2006 5:33:34 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POU	11/15/2006 1:56:17 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10-25-2006.
Contacts	10/18/2006 11:50:09 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam conducted 5-5-05.
General	10/18/2006 11:50:37 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Delbert Ogle provides evidence of priority to 1953.
POD	10/18/2006 11:51:12 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	10/18/2006 2:13:50 PM	mvanbussum	Updated shape
POD	10/18/2006 2:14:30 PM	mvanbussum	Updated shape
POD	10/18/2006 2:15:15 PM	mvanbussum	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

Source	10/18/2006 2:17:19 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam conducted 05-05-2005 verifies Anderson Creek as source.
POD	10/18/2006 2:12:44 PM	mvanbussum	Updated shape
POD	10/18/2006 2:13:07 PM	mvanbussum	Updated shape
POU	10/18/2006 2:18:10 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 05-05-2005 verifies POU.
POD	10/18/2006 2:09:08 PM	mvanbussum	Updated shape
POD	10/18/2006 2:10:43 PM	mvanbussum	Updated shape
Use	10/18/2006 4:09:50 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
Season	10/18/2006 4:09:54 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License?
Quantity	10/18/2006 4:09:54 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
POD	11/13/2006 3:37:22 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POU	11/13/2006 3:41:09 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10/25/2006.
POU	11/15/2006 11:56:28 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10-25-2006.

SubCase:

SubCase Number: 67-4149
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Monica Van Bussum
Basis of Claim: Beneficial Use
Date Filed: 2/7/2007 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

WATER RIGHT NUMBER: 67-4149 V1

Owner Type	Name and Address
Current Owner	JEANNE BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331
Current Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 09/01/1945

Basis: Beneficial Use

Status: Active

Source	Tributary
ANDERSON CREEK	LITTLE WEISER RIVER

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION FROM STORAGE	03/15	10/31	0.330 CFS	50.00 AF
IRRIGATION STORAGE	03/15	10/31		50.00 AF
STOCKWATER STORAGE	01/01	12/31		50.00 AF
STOCKWATER FROM STORAGE	01/01	12/31		50.00 AF
		Total Diversion:		50.00 AF

Location of Point(s) of Diversion

ANDERSON CREEK ADAMS County	SE1/4NE1/4 (Rediversion)	Sec. 28,	Twp 14N, Rge 01W, B.M.
ANDERSON CREEK ADAMS County	NW1/4SW1/4 (Rediversion)	Sec. 27,	Twp 14N, Rge 01W, B.M.
ANDERSON CREEK ADAMS County	SE1/4NE1/4 (Rediversion)	Sec. 28,	Twp 14N, Rge 01W, B.M.
ANDERSON CREEK ADAMS County	SE1/4SW1/4SW1/4	Sec. 27,	Twp 14N, Rge 01W, B.M.

Place of Use

IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 28	X			X													

Total Acres: 33

IRRIGATION STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 28	X			X													

Total Acres: 33

STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 27							X			X							
14N 01W 28				X													

STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 27							X			X							
14N 01W 28				X													

Conditions of Approval:

1. C18 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.

Remarks:

Comments:

1. mvanbussum 12/18/2006 NOE Priority Date
Comment: Per NOE process, spoke with claimant, who said he has been on property since September 1945. Affidavit in file 67-10134. Recommended September 1945.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	10/18/2006 11:50:09 AM	mvanbussum			Active
Priority Date	10/18/2006 11:50:37 AM	mvanbussum			Active
POD	10/18/2006 11:51:12 AM	mvanbussum			Active
Source	10/18/2006 2:17:19 PM	mvanbussum			Active
POU	10/18/2006 2:18:10 PM	mvanbussum			Active
Use	10/18/2006 4:09:50 PM	mvanbussum			Active
Quantity	10/18/2006 4:09:54 PM	mvanbussum			Active
Season	10/18/2006 4:09:54 PM	mvanbussum			Active
POD	11/13/2006 2:58:50 PM	mvanbussum			Active
POD	11/13/2006 3:36:55 PM	mvanbussum			Active
POU	11/13/2006 3:40:42 PM	mvanbussum			Active
POU	11/15/2006 11:56:28 AM	mvanbussum			Active
POU	11/15/2006 1:56:16 PM	mvanbussum			Active
Season	11/30/2006 5:30:02 PM	mvanbussum			Active
Quantity	11/30/2006 5:32:44 PM	mvanbussum			Active
Summary			11/30/2006	mvanbussum	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POD	11/13/2006 2:59:11 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Season	11/30/2006 5:30:04 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	11/30/2006 5:32:47 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Measurement conducted by Sandy Hemenway during field exam 10-25-2006 using sizing from a drawing from claimant and 2004 NAIP imagery.
Summary	11/30/2006 5:33:34 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POU	11/15/2006 1:56:17 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10-25-2006.
Contacts	10/18/2006 11:50:09 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam conducted 5-5-05.
General	10/18/2006 11:50:37 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Delbert Ogle provides evidence of priority to 1953.
POD	10/18/2006 11:51:12 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	10/18/2006 2:13:50 PM	mvanbussum	Updated shape
POD	10/18/2006 2:14:30 PM	mvanbussum	Updated shape
POD	10/18/2006 2:15:15 PM	mvanbussum	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

Source	10/18/2006 2:17:19 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam conducted 05-05-2005 verifies Anderson Creek as source.
POD	10/18/2006 2:12:44 PM	mvanbussum	Updated shape
POD	10/18/2006 2:13:07 PM	mvanbussum	Updated shape
POU	10/18/2006 2:18:10 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 05-05-2005 verifies POU.
POD	10/18/2006 2:09:08 PM	mvanbussum	Updated shape
POD	10/18/2006 2:10:43 PM	mvanbussum	Updated shape
Use	10/18/2006 4:09:50 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
Season	10/18/2006 4:09:54 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License?
Quantity	10/18/2006 4:09:54 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
POD	11/13/2006 3:37:22 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4149 V1

POU	11/13/2006 3:41:09 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10/25/2006.
POU	11/15/2006 11:56:28 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted 10-25-2006.

Water Supply Bank:

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 30, 2006 MVB 11-30-06

JOHN ROBERT SCHWENKFELDER
5500 W OLD SCHOOL
MERIDIAN ID 83646

RE: CHANGE IN OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION (SRBA) 67-04149

Dear Water Right Claimant(s):

It has come to our attention that you may have recently purchased a tract of land in Adams County. According to our records, the property to which I am referring to was most recently owned by Larry Boehm. The legal description is as follows:

T14N R01W Sec 27
T14N R01W Sec 28

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 67. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a copy of your Warranty Deed and legal description of the property you have purchased.

Additionally, enclosed you will find a computer printout of the claim. If you have any questions regarding this matter, please call me at (208) 287-4907.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

Field Exam Date 10/25/2006

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 complete

Claim No(s) 67-04149 (deceased)

Owner: Larry L. or Jeanne Boehm Phone No. (208) 2

Current Address: 2203 Ben Ross, Indian Valle

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER belongs to John R. or Bonnie P. S
- ☐ No change Address
- ☒ NEW ADDRESS ~~R~~ John (Robert/Bob's) address: 5500 meridi
- ☒ How long owned property? 2005, + 2006 ← Bob pa

Split sold off part

Larry owned since 1948 ← (Jeanne passed

(208) 887-3540

Accompanied by: Larry Boehm can be reached also at (208) 256-4336 (Bev. friend)

John (Robert) Schwenkfelder requested a change of ownership be mailed to him

PRIORITY DATE

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

Priority date, per claimant, is: 6/1/1928

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

—

Source: Anderson Creek **Tributary to** Little Weiser River

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: _____
- ☐ If different, when did POD change? They have always been located here. When the Ben Ross Reservoir fills up, water backs up into Anderson Creek & overflows the dam at the POD. (ID tag had been placed on the fence to the west of POD. out of the flooded area)

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
A0016727								Adams ~~Wasco~~	2,305,431 1,482,034

(rest are ~~incorrect~~ ~~as~~ shown on map)

Description of diverting works

earthen dammed area, 30 Hp Pooach pump, 40psi, 6" discharge pumped ~ 1/4 mile to dirt ditch, gravity flow to pond #1

OVERLAP REVIEW

Other water rights with the same point of diversion: this will be Schwenkfelder once split

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: it splits up the existing system (pond #1 + south part of pond #2 stay with Larry Boehm, ~~pond #~~ 2 + 3, + irrigation go to Schwenkfelder)

WATER USES

☒ No change* except "time period" for irrigation should be changed + number of acres 16.43 acres x 0.02 cfs = 0.33 cfs

☐ Different Uses

Use Irrigation storage From 3/15 To 10/15 Amount _____ CFS _____ AFA

Use Irrigation from storage From 3/15 To 10/15 Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only N/A

☐ Incomplete on claim, the total is, Amount _____ CFS _____ 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 60 head cattle (on WR); presently has combination of cattle + 7 horses

☐ Changes Exam found: Domestic # of homes — Stock # _____

Types _____ Additional comments: Fish + Game have been transporting some ducks to these ponds, as temporary locations. They are left at that location for a couple months, caught, + transported. This all takes place at pond #1.

PLACE OF USE:

☐ No Change

☒ Changes shown below:

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

Re-calculate acreage, please confirm section & quarter quarter

Overlap with other water rights: None

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

Delivery System Narrative: Pond #1 w/14' earth-filled dam, head-gate/control valve on north side with overflow to pond #2 (dike in middle currently seperates north + south side due to sale of property), control valve at 2 northern ends allows for irrigation to dirt ditch (gravity flow west to east) or to flow directly to fill pond #3. 4" buried PVC from Pond #1 to Pond #2. Overflow from pond #2 is 8".

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0016727	Poosch	30	No tag	No tag	6"

* Mr Boehm rents his pump every year for 6 days (enough time to fill the ponds). In the event that the reservoir covers his POD, he pumps as long as Anderson Creek is running or 6 days since that's usually how long it takes to fill the ponds.

FLOW MEASUREMENTS:
Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Supplemental water: none

The reservoir was built in 1930. The ponds for this WR were built in 1910.

Mr. Boehm can reuse his water/overflow that ends up in pond #3. If needed, he can rent a pump to re-use it for irrigation more than once.

- Larry Boehm owns the big pond #1 + the south side of pond #2. Pond #1 is filled only one time, since Anderson Creek runs short time.
- John R. Schwenkfelder owns Commercial Tire. His farm managers name is located at (208) 257-3599; brother/Royce (208) 257-3591/550-2200.

Ponds #2+3 are overflow ponds for pond #1. Water from these ponds, if needed can be pumped to field irrigated. They are also used for stockwater.

Directions: I84, Hwy 95 thru Weiser + Cambridge. 11 miles north of Cambridge, turn right after Lakeys Cafe on W. Indian Valley Rd (which turns into Indian Valley Rd when it merges with N. Indian Valley Rd). Continue till split in road + take Ben Ross Rd. Go 2 miles (going over the dam) to 2203 Ben Ross Rd (residence). POU: follow road on northwest side of barn going north to pond #1, continue around on west side then following road around on east side of pond #2; follow road north to pond #3. Acres irrigated are NW of pond #2 + west of pond #3. POD about 1/4 mile east of 2203 Ben Ross Rd, then SE.

AFTER EXAM THE FILE SHOULD CONTAIN:

- [x] Completed claim checklist
- [x] Photographs of POD's and POU
- [x] GPS readings
- [x] Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 11/1/2006

FIELD EXAMINER: Sandy Hemenway

67-04149 Boehm
Date of Inspection: 10/25/2006
Inspector: Sandy Hemenway

Ponds: One time fill & empty
- sizing from 2004 NAIP

Pond #1: 404,085.46 / 43,560 = 9.276 = **9.28 acres**
average depth 10'
9.28 acres X 10' = **92.8 af**

Pond #2: 84,447.74 / 43,560 = 1.938 = **1.94 acres**
average depth 7'
1.94 acres X 7' = ~~13.58 af~~ **13.6 af**

Pond #3: 88,292.36 / 43,560 = 2.026 = **2.03 acres**
average depth 10'
2.03 acres X 10' = ~~203.0 af~~ **20.3 af**

Computed volume of ~~ponds full~~ pond refill:
92.8 af + 13.6 af + 20.3 af = $\frac{126.7 \text{ af}}{144 \text{ hrs}} \times \frac{43{,}560 \text{ cf}}{1 \text{ af}} \times \frac{1 \text{ hr}}{60 \text{ min.}} \times \frac{1 \text{ min.}}{60 \text{ sec}} = 10.64$ cfs
* if all 3 ponds full

Irrigation: season 3/15 - 10/15 = 215 days
- sizing from Larry Boehm's drawing + 2004 NAIP
16.43 acres X 0.02 cfs = 0.328 = **0.33 cfs**
Confirmed acres: 715,632.77 / 43,560 = **16.43 acres**
Vir = 16.43 acres X 4.0 irr. req. = 65.7 af
Vdr = 0.33 cfs X 215 days X 1.9835 = 140.73 = 140.7
V = 65.7 af

Note: acreage reduced ~~from~~ from original application after field inspection

Pumpjack Calculation: (30-40 psi required)
* See attachment = ~~1.129 = 1.13 cfs~~ ~~1.379 cfs~~ @ 40 psi
1.129 = 1.13 @ 30 psi
1.249

Note: this pump system is only ran for about 6 days max. per year, "enough time to fill the ponds.

Theoretical Pump Calculation: for open discharge
$Q = \frac{(3.8)(30 \text{ Hp})(0.70)}{(40' \text{ lift}) + (30 \text{ psi} \times 2.31)} = \frac{184.8}{109.3} = 1.69$ cfs

Pipe Flow - from pond #1 to pond #2
4" PVC = 0.44 cfs max. capacity

Pipe Flow - from pond #2 to irrigation or pond #3
8" PVC = 1.74 cfs max. capacity

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A67-4149 Boehm

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
f = 0.2083*(100/roughness)^1.85*((cfs*448.8)^1.852)/ID^4.8655*Length/100

To Find: Compute Rate of Flow for a Pumpback System

Data Table

* stated he runs system between 30-40 psi

Vertical Lift:	40.00	feet
Pressure Req'd:	30.00	psi
Required Head:	109.30	feet
Pump Horsepower:	30.00	horsepower
Pipe Roughness:	150.00	Note: pvc = 150, smooth and straight pipe = 140 aluminum - joint length 20' = 125, joint length 30' = 130, joint length 40' = 132, joint length 50' = 134, new riveted steel = 100 old riveted steel = 100, old cast iron = 95, old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
5.50	1320.00	39.97		3.03
1.50	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!
			39.97	

Initial Estimate of Rate of Flow: 1.249 CFS

Computation of Rate of Flow: 1.24

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A67-4149 Boehm

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
f = 0.2083*(100/roughness)^1.85*((cfs*448.8)^1.852)/ID^4.8655*Length/100

To Find: Compute Rate of Flow for a Pumpback System

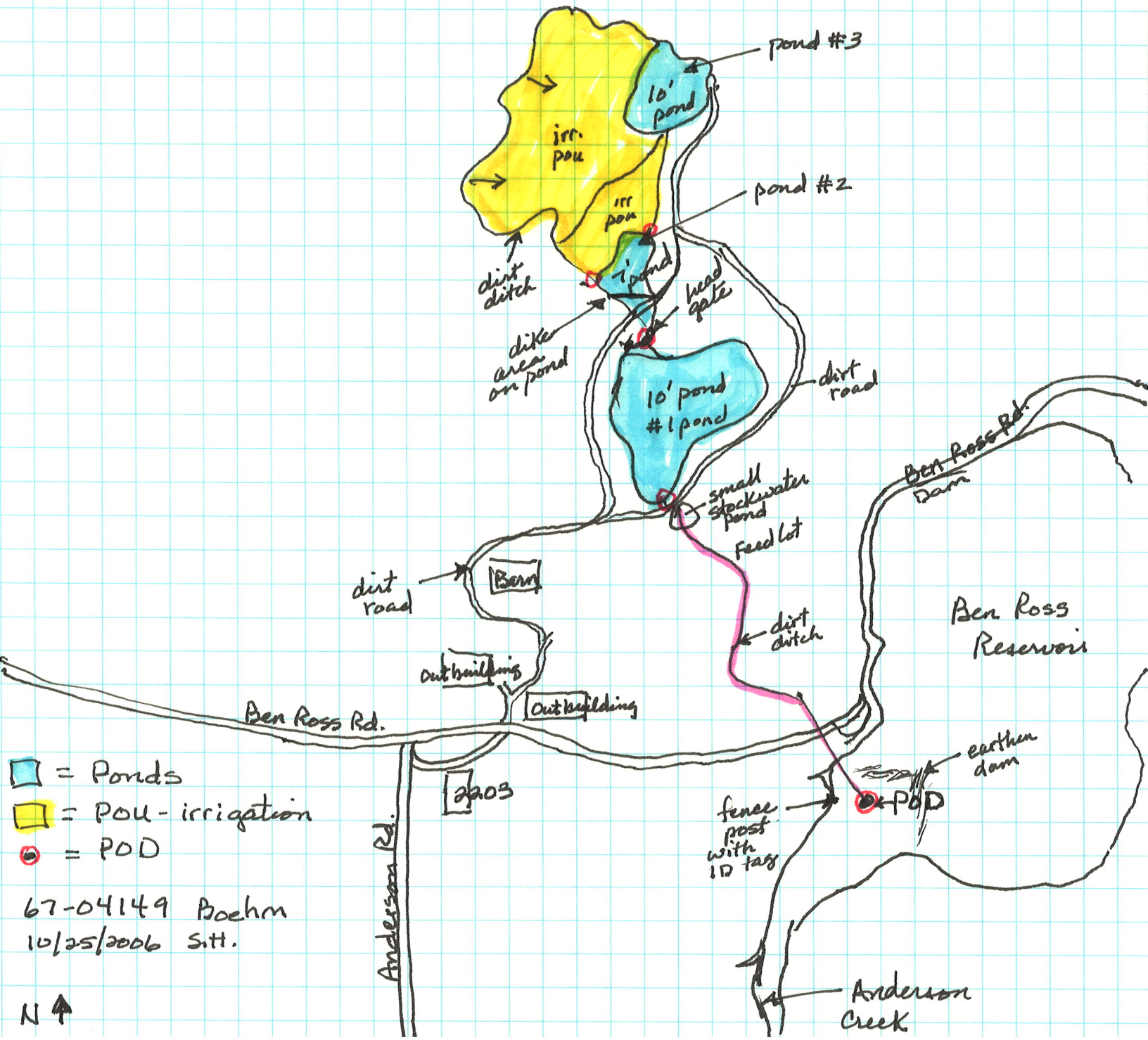
Data Table

Vertical Lift:	40.00	feet
Pressure Req'd:	40.00	psi
Required Head:	132.40	feet
Pump Horsepower:	30.00	horsepower
Pipe Roughness:	150.00	Note: pvc = 150, smooth and straight pipe = 140 aluminum - joint length 20' = 125, joint length 30' = 130, joint length 40' = 132, joint length 50' = 134, new riveted steel = 100 old riveted steel = 100, old cast iron = 95, old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
5.50	1320.00	33.15		2.51
1.50	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!
			33.15	

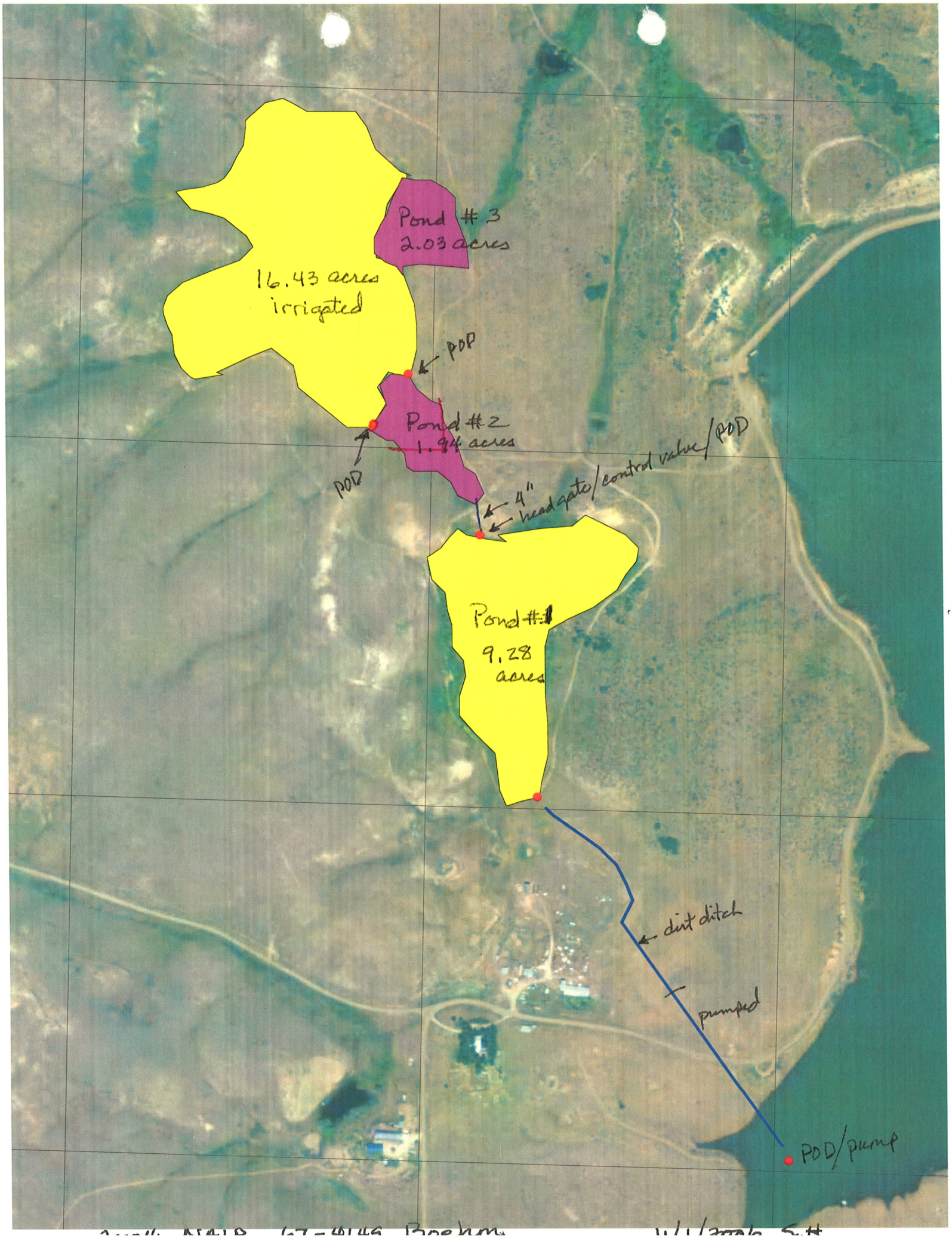
Initial Estimate of Rate of Flow: 1.129

Computation of Rate of Flow: 1.12

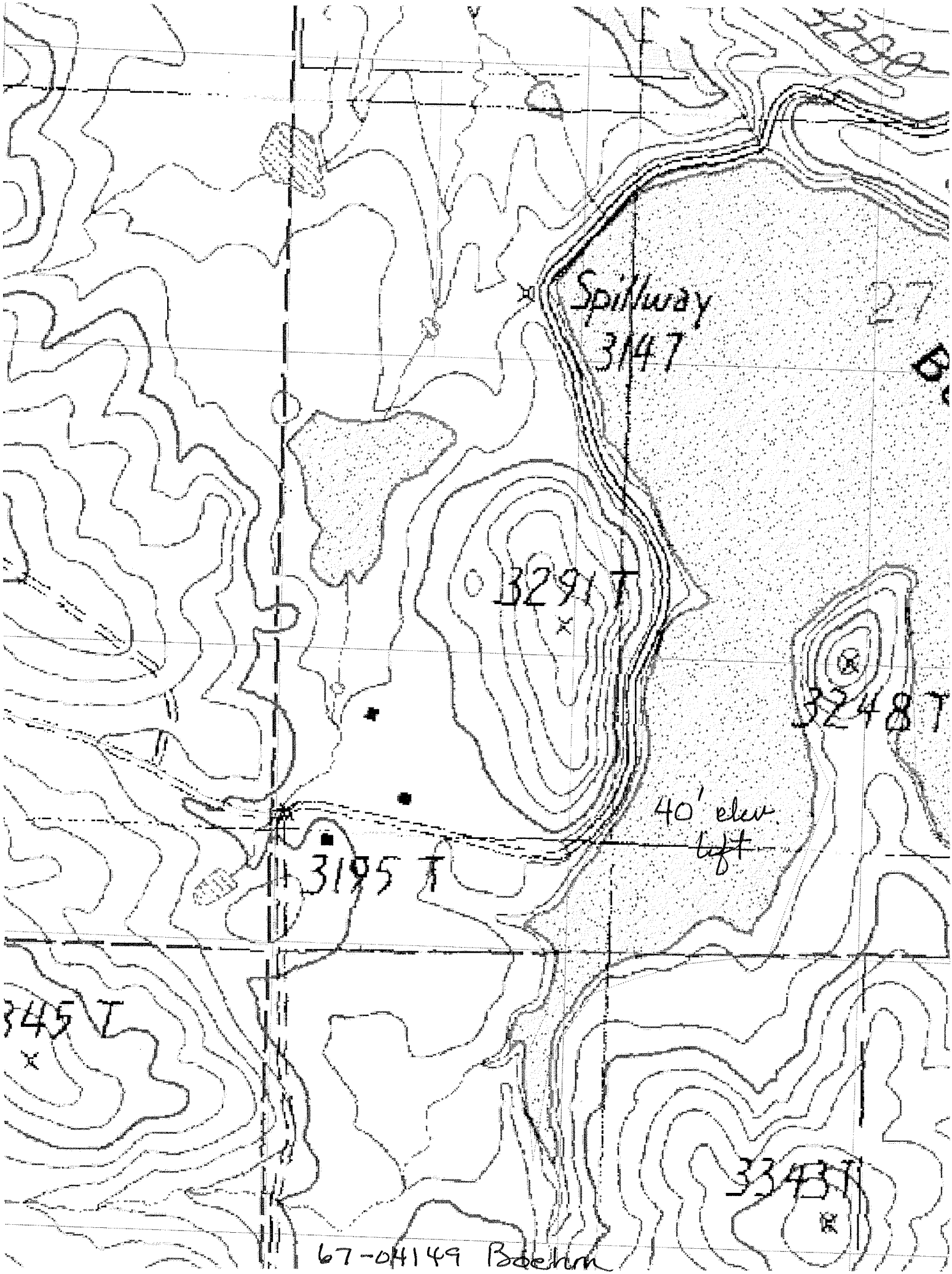

pond #3
10' pond
irr. pou
irr pou
pond #2
dirt ditch
1' pond
head gate
dike area on pond
10' pond #1 pond
dirt road
small stockwater pond
Ben Ross Rd.
Dam
Feed lot
dirt road
Barn
dirt ditch
Ben Ross Reservoir
outbuilding
outbuilding
Ben Ross Rd.
earthen dam
POD
fence post with ID tag
2203
Anderson Rd.
Anderson Creek
= Ponds
= POU - irrigation
= POD
67-04149 Boehm
10/25/2006 SH.
N



2004 NAIP 67-04149 Boehm 10/25/2006 SH.


Pond #3
2.03 acres
16.43 acres
irrigated
POD
Pond #2
1.94 acres
POD
4"
headgate/control valve/POD
Pond #1
9.28
acres
dirt ditch
pumped
POD/pump


Robert T
N
10/25/2006 SH
67-04149 Brehm


Spillway
3147
3291 T
3248 T
40' elev.
3195 T
345 T
3343 T
67-04149 Boehm

07/18/2008

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4149

NAME AND ADDRESS: JOHN ROBERT SCHWENKFELDER
5500 W OLD SCHOOL LN
MERIDIAN ID 83646

BONNIE P SCHWENKFELDER
5500 W OLD SCHOOL LN
MERIDIAN ID 83646

SOURCE: ANDERSON CREEK TRIBUTARY: LITTLE WEISER RIVER

QUANTITY: 0.330 CFS
50.000 AFY

PRIORITY DATE: 06/01/1928

POINT OF DIVERSION:

T14N R01W S27 SESESW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DIVERSION TO STORAGE	03/15 10/31	0.330 CFS
IRRIGATION FROM STORAGE	03/15 10/31	50.00 AFY
IRRIGATION STORAGE	03/15 10/31	50.00 AFY
STOCKWATER STORAGE	01/01 12/31	50.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	50.00 AFY

PLACE OF USE:

IRRIGATION STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE	T14N R01W S28	NESE

IRRIGATION FROM STORAGE in ADAMS County

T14N R01W S28	SENE	16.40

STOCKWATER STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE	T14N R01W S28	NESE

STOCKWATER FROM STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE	T14N R01W S28	NESE

16.4 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

Hemenway, Sandy

From: Hemenway, Sandy
Sent: Monday, July 21, 2008 7:35 AM
To: Saxton, Craig
Cc: Hemenway, Sandy
Subject: RE: 67-4149 Added Diversion to Storage

I checked the file, and that looks good to me. I put the file on your desk, so when you don't need any any longer, just give it back to me and I'll file it for you.

Sandy

From: Saxton, Craig
Sent: Friday, July 18, 2008 12:09 PM
To: Hemenway, Sandy
Subject: 67-4149 Added Diversion to Storage

Hey Sandy,

On the Boehm/Schwenkefelder right (67-4149), you originally asked if we needed to add a diversion rate. I said "no" but was wrong. I think I got confused with whether this use was on-stream or off-stream storage. For whatever reason, this appears to be off-stream storage and we need a **Diversion to Storage**. My bad.

So looking at your notes, I recommended 0.33 cfs as the diversion to storage. Does that seem right?

Will you take, yet another look, at this and let me know if that is the right diversion rate from Anderson Creek? I updated the ECVR to what I think it should be, but I thought I woudl run it past you first before I submit it to the Special Master.

Thanks and sorry about this. My bad.

Craig

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 12, 2008

LARRY L BOEHM
2203 BEN ROSS
INDIAN VALLEY ID 83632

RE: Amended Snake River Basin Adjudication Claim for 67-4149

Dear Mr. Boehm,

On February 20, 2008, the Idaho Department of Water Resources (IDWR) sent you a packet of information that included an updated recommendation for 67-4149 that changed the recommended priority date from 1945 to 1928 as you had originally claimed. You were asked to review the new recommendation and if you felt it was accurate, to sign it and return it to us so we could submit it to the court.

When the completed documentation was sent to the court, the Special Master (Judge) that oversees this process, found an error in the recommended place of use for irrigation storage. In addition, I found that the recommended place of use for irrigation did not match with what was found during a field exam conducted by Sandy Hemenway on October 25, 2006. In order for me to fix this error, the claim needs to be amended so it is claimed correctly.

Enclosed is an amended claim which describes the place of use for irrigation storage as the same location the ponds are. For your convenience, I have highlighted in yellow the place of use legal descriptions that were added, and crossed out in red italics, the place of use legal descriptions that are to be removed.

Please look over the claim and initial any changes you wish to make. When satisfied, please sign the claim and return it to me ASAP in the envelope provided so I can submit an updated recommendation for claim 67-4149 to the Snake River Basin Adjudication (SRBA) court.

I am sorry to bother you with this again knowing that Mr. Schwenkfelder has purchased some or all of the property that this water right is applicable to.

Please feel free to contact me if you have questions.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s)

Saxton, Craig

From: Ted Booth [tbooth@srba.state.id.us]
Sent: Tuesday, March 11, 2008 2:50 PM
To: Saxton, Craig
Subject: RE: 67-4149 SF5 Error

Craig,
I will put a copy of your email in the file an hold-off on doing anything until I hear back from you. Thanks for looking onto this.
Ted Booth

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
http://www.ihatespam.net

From: Saxton, Craig [mailto:Craig.Saxton@idwr.idaho.gov]
Sent: Tuesday, March 11, 2008 2:51 PM
To: Ted Booth
Cc: Bromley, Chris
Subject: 67-4149 SF5 Error

Dear Special Master Booth,

After looking at the file, it does appear that there was an error in recommending the place of use for Irrigation Storage. However, in order to correct the error, I am going to need to solicit an amended claim. Then we will submit an amended Directors Report that reflects the changes.

I apologize for the error.

Sincerely,

Craig L. Saxton
Adjudication Bureau

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 21, 2008

Larry L Boehm
2203 Ben Ross
Indian Valley ID 83632

RE: Standard Form 5 in subcase 67-4149

Dear Mr. Boehm:

Enclosed you will find Standard Form 5 (SF5s) for water rights 67-4149 signed by IDWR. These documents are standard settlement agreement forms used by the SRBA Court. Attached to the SF5s are the updated descriptions (recommendations) of your water rights prepared by water agent Craig Saxton. The recommendations reflect changes made to your water right descriptions following your discussions with Craig.

Although you are aware of the changes, please review the recommendations carefully. If the revised recommendations meet with your approval, please initial the recommendation pages as indicated and sign page one of the SF5s. Then return the forms to me in the envelope provided and I will file them with the SRBA Court. You will receive copies of the SF5s once they are filed. Should you have any questions concerning the recommendations, please contact Craig Saxton at our office in Boise at 208-287-4918.

Should you require any further assistance or have other questions, please contact me at 208-287-4910. Thank you. We appreciate your patience in this matter.

Sincerely,

Danni M. Smith
Office Services Supervisor

Enclosures

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

In Re SRBA	)	Subcase No. 67-4149
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A WATER RIGHT
	)	

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s)/OBJECTOR(s):

Larry L Boehm Date

IDWR Concurrence:

Craig Saxton Date
Adjudication Section

Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

CERTIFICATE OF MAILING

I certify that on _____, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

   Clerk of the District Court
   Snake River Basin Adjudication
   253 Third Avenue North
   P. O. Box 2707
   Twin Falls, Idaho 83303-2707

2. Copies to:

   Larry L Boehm
   2203 Ben Ross
   Indian Valley ID 83632

   U.S. Dept. of Justice
   Environment & Natural Resources Division
   550 West Fort Street, MSC 033
   Boise, ID 83724

   IDWR Repository
   P.O. Box 83720
   Boise, ID 83720

_____
Signature of person mailing the form

11/23/2007

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4149

NAME AND ADDRESS: LARRY L BOEHM
2203 BEN ROSS
INDIAN VALLEY ID 83632

SOURCE: ANDERSON CREEK TRIBUTARY: LITTLE WEISER RIVER

QUANTITY: 50.000 AFY

PRIORITY DATE: ~~09/01/1945~~ 06/01/1928

POINT OF DIVERSION:

T14N R01W S27 NWSW Rediversion Within ADAMS County

T14N R01W S27 SESWSW Within ADAMS County

T14N R01W S28 SENE Rediversion Within ADAMS County

T14N R01W S28 SENE Rediversion Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION FROM STORAGE	03/15 10/31	0.330 CFS 50.00 AFY
IRRIGATION STORAGE	03/15 10/31	50.00 AFY
STOCKWATER STORAGE	01/01 12/31	50.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	50.00 AFY

PLACE OF USE:

IRRIGATION STORAGE in ADAMS County

T14N R01W S28	NENE		T14N R01W S28	SENE	

IRRIGATION FROM STORAGE in ADAMS County

T14N R01W S28	NENE	* 17.00	T14N R01W S28	SENE	* 16.00

STOCKWATER STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

STOCKWATER FROM STORAGE in ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

33 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

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor
DAVID R. TUTHILL, JR.
Director

February 20, 2008

LARRY L BOEHM
2203 BEN ROSS
INDIAN VALLEY ID 83632

RE: Objection resolution for 67-4149

Dear Mr. Boehm,

On December 22nd, 2006, the Idaho Department of Water Resources (IDWR) submitted a recommendation for claim 67-4149 to the Snake River Basin Adjudication (SRBA) court.

On February 8, 2007, you filed an objection to that recommendation requesting an earlier priority date. In addition you supplied an affidavit from Gladys Johnson supporting the priority date claimed.

With this new information, IDWR can support the 6-1-1928 priority date claimed. Enclosed is an updated recommendation for 67-4149 and the necessary paperwork that needs to be initialed and signed in order to settle your objection outside of the SRBA court.

I wanted to explain that the following letter makes reference to discussions we have had about this and I just wanted to verify with you that the following letter is just a form letter and I know we haven't spoke about this before. In addition, I know that Mr Schwenkfelder has purchased some or all of the property that this water right is applicable to. However, since at this time, your name is still on the water right, and you filed the original objection, I am sending this information to you to review.

If you agree with the updated changes, follow the directions on the following letter from Danni Smith.

If you disagree with the update recommendation and would like to wait till a hearing is scheduled so you can be heard by the SRBA court, no further action is needed.

Please feel free to contact me if you have questions.

Respectfully submitted,

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor
DAVID R. TUTHILL, JR.
Director

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s)

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 20, 2008

LARRY L BOEHM
2203 BEN ROSS
INDIAN VALLEY ID 83632

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Please feel free to contact me if you have questions.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s)

RECEIVED
FEB 11 2008
DEPARTMENT OF
WATER RESOURCES

January 28, 2008

Sandy,

Please review the attached copy of the warranty deed on the property you mentioned.

If you have additional questions please call my cell at 447-9395.

Thanks,

Bob Schwenkfelder

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 22, 2008

John R. Schwenkfelder
5500 W. Old School Lane
Meridian, ID 83646

RE: 67-4149 Ownership Change

Dear Mr. Schwenkfelder:

The field exam conducted with Larry Boehm on October 25, 2006 revealed the property locations on the enclosed map. Larry indicated that the property to the west of the red line was owned by John Schwenkfelder, yet we have no record of a deed for this portion of property. The property to the west of the red line historically is the only property that has ever been irrigated.

The deed sent to IDWR (Exhibit A) when downloaded on to Deed plotter, indicates that it is for the property to the east of the red line (as indicated on the enclosed map). If you wish to have "irrigation from storage, and irrigation storage" included on the ownership change for Water Right #67-4149, please forward a deed for the property on the west side of the red line. Historically, only acreage on the west side has ever been irrigated.

If you have any questions, please do not hesitate to contact me at (208) 287-4920, or via Email: Sandy.Hemenway@idwr.idaho.gov

Sincerely,

Sandy Hemenway

Sandy Hemenway
Sr. Water Rights Agent

INSTRUMENT NO. 110091

Warranty Deed

Instrum # 110091
COUNCIL, ADAMS, IDAHO
2005-10-04 02:45:41 No. of Pages: 4
Recorded for : TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fee: 12.00
Ex-Officio Recorder Deputy
Index to: DEED

LARRY L. BOEHM and VIVIAN J. BOEHM, husband and wife ("Grantor"), hereby convey, grant and warrant to J. ROBERT SCHWENKFELDER and BONNIE P. SCHWENKFELDER, husband and wife, ("Grantee"), whose address is 5500 W. Old School Lane, Meridian, Idaho 83642, for good and valuable consideration, the following described real property, together with that certain non-exclusive and non-restrictive perpetual easement on, over, across and through real property for the benefit of the real property herein conveyed described, to-wit:

See EXHIBIT A attached hereto and incorporated herein.

SUBJECT TO taxes and assessments for the year 2005 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, third party claims arising out of or resulting from any discrepancies, encroachments and overlaps between the existing perimeter fence locations and the surveyed boundary lines of the Property, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 30th day of September 2005.

GRANTOR: LARRY L.BOEHM and VIVIAN J. BOEHM, husband and wife.

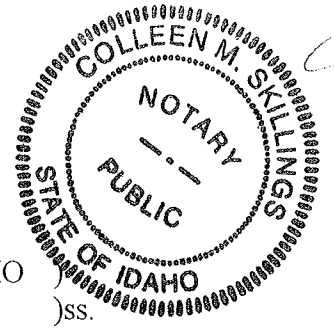
Larry L. Boehm

Vivian J. Boehm

STATE OF IDAHO)
)ss.
County of Adams)

On this 30th day of September 2005, before me, the undersigned Notary Public in and for said State, personally appeared LARRY L. BOEHM, known or identified to me to be the person that executed the within instrument, and acknowledged to me that he executed the same.

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

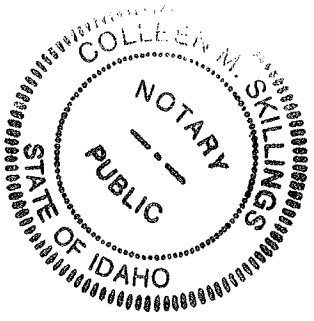


NOTARY PUBLIC, State of Idaho
Residing at Indian Valley
My Commission Expires: 7/4/2010

STATE OF IDAHO)
)ss.
County of Adams)

On this 30th day of September 2005, before me, the undersigned Notary Public in and for said State, personally appeared VIVIAN J. BOEHM, known or identified to me to be the person that executed the within instrument, and acknowledged to me that she executed the same.

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



NOTARY PUBLIC, State of Idaho
Residing at Indian Valley
My Commission Expires: 7/4/2010

EXHIBIT 'A'

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho;
A parcel of land situated within the W1/2SW1/4NW1/4 of Section 27 and the NE1/4, the SE1/4 and the E1/2W1/2 of Section 28, more particularly described as follows:
Beginning at the Northeast corner of the NE1/4 of Section 28, T14NR1WBM;
Thence S 0° 24'09" East, a distance of 1316.05 feet along the East line of said NE1/4 (West line of the NW1/4 of Section 27, T14NR1WBM) to the Southeast corner of the NE1/4NE1/4 of said Section 28 (Northwest corner of the W1/2SW1/4NW1/4 of said Section 27);
Thence S 21° 27'13" East, a distance of 563.53 feet;
Thence S 40° 05'58" West, a distance of 311.67 feet to a point on the West line of said W1/2SW1/4NW1/4;
Thence S 0° 24'09" East, a distance of 553.13 feet along the West line of said W1/2SW1/4NW1/4 to the Southwest corner of said W1/2SW1/4NW1/4 (Southeast corner of said NE1/4 of Section 28);
Thence S 89° 33'01" West, a distance of 482.49 feet;
Thence S 9° 58'42" West, a distance of 1753.55 feet to a point on the Northeasterly right-of-way line of an existing County Road known as Ben Ross Road, which point is within the SE1/4 of said Section 28, and bears N 41° 19'23" West, a distance of 1196.14 feet from the Southeast corner of said SE1/4 and bears S 24° 25'58" West, a distance of 1901.06 feet from the Northeast corner of said SE1/4;
Thence Northwesterly, along the Northeasterly right-of-way line of said Ben Ross Road, to a point on the South line of the N1/2SE1/4 of said Section 28;
Thence West, a distance of 450 feet, more or less, along the South line of said N1/2SE1/4 to the Southwest corner of said N1/2SE1/4;
Thence North, a distance of 245 feet, more or less, along the West line of said N1/2SE1/4 to a point on the Northeasterly right-of-way line of said Ben Ross Road;
Thence Northwesterly, along the Northeasterly right-of-way line of said Ben Ross Road, to a point on the West line of the E1/2W1/2 of said Section 28;
Thence North, a distance of 2775.00 feet, more or less, along the West line of said E1/2W1/2, to the Northwest corner of said E1/2W1/2;
Thence East along the North line of said E1/2W1/2 and the North line of said NE1/4 to the POINT OF BEGINNING;
SUBJECT TO the right-of-way of Ben Ross Road as now established.

EXCEPTING THEREFROM the following parcel of land situated within the E1/2 of Section 28, Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho, more particularly described as follows:
Beginning at the Southeast corner of the E1/2 of Section 28, T14NR1WBM;
Thence N 44° 24'57" West, a distance of 2753.06 feet to the TRUE POINT OF BEGINNING, which point bears S 70° 59'19" West, a distance of 2034.23 feet from the Northeast corner of the SE1/4 of said Section 28;
Thence N 41° 13'10" West, a distance of 660.00 feet;
Thence N 48° 46'50" East, a distance of 330.00 feet;
Thence S 41° 13'10" East, a distance of 660.00 feet;
Thence S 48° 46'50" West, a distance of 330.00 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO a 30.00 foot wide easement within the SE1/4 of Section 28, T14NR1WBM, said easement being for ingress, egress, and utilities, including, without limitations, for pedestrians, vehicles, utility access and related service access thereof such as to clear and service the roads, the easterly boundary of said easement being more particularly described as follows:
Beginning at the Southeast corner of the SE1/4 of Section 28, T14NR1WBM;
Thence N 57° 38'38" West, a distance of 2157.22 feet to the TRUE POINT OF BEGINNING at the intersection of the centerline of an existing County Road known as Ben Ross Road and the Easterly boundary of said 30.00 foot wide easement;
Thence N 8° 10'47" West, a distance of 96.32 feet;
Thence N 11° 31'18" East, a distance of 209.53 feet;
Thence N 1° 46'26" West, a distance of 102.57 feet;
Thence N 24° 34'11" East, a distance of 42.03 feet;
Thence N 48° 58'39" East, a distance of 138.20 feet;
Thence N 31° 11'04" East, a distance of 45.19 feet;
Thence N 12° 33'58' East, a distance of 87.03 feet;
Thence N 0° 12'10" West, a distance of 129.49 feet;
Thence N 22° 49'18" West, a distance of 98.41 feet;
Thence N 42° 39'21" West, a distance of 119.90 feet to the point of ending on the Southeasterly boundary of the parcel EXCEPTED from the above described legal description.

ALSO TOGETHER WITH AND SUBJECT TO a 66.00 foot wide easement within the NW1/4SW1/4 and the SW1/4NW1/4 of Section 27, T14NR1WBM, said easement being for ingress, egress, and utilities, including, without limitations, for pedestrians, vehicles, utility access and related service access thereof such as to clear and service the roads, said easement being more particularly described as follows:
Beginning at the Northeast corner of the NW1/4SW1/4 of Section 27, T14NR1WBM;
Thence S 89° 33'01" West, a distance of 50.28 feet along the North line of said NW1/4SW1/4 to the TRUE POINT OF BEGINNING at the intersection of the centerline of an existing County Road known as Ben Ross Road and the North line of said NW1/4SW1/4;
Thence continuing S 89° 33'01" West, a distance of 608.05 feet along the North line of said NW1/4SW1/4 to the Northeast corner of the W1/2NW1/4SW1/4 (Southeast corner of the W1/2SW1/4NW1/4);
Thence N 0° 22'12" West, a distance of 66.00 feet along the East line of said W1/2SW1/4NW1/4;
Thence S 89° 33'01" West, parallel to the South line of said W1/2SW1/4NW1/4, a distance of 658.37 feet to a point on the West line of said W1/2SW1/4NW1/4;
Thence S 0° 24'09" East, a distance of 66.00 feet along the West line of said W1/2SW1/4NW1/4 to the Southwest corner of said W1/2SW1/4NW1/4;
Thence N 89° 33'01" West, a distance of 558.33 feet along the South line of said W1/2SW1/4NW1/4;
Thence S 0° 22'12" East, parallel to the East line of said W1/2SW1/4NW1/4, a distance of 66.00 feet to a point within said NW1/4SW1/4;
Thence N 89° 33'01" East, parallel to the North line of said NW1/4SW1/4, a distance of 732.05 feet to a point on the centerline of said Ben Ross Road;
Thence N 20° 21'54" West, a distance of 70.20 feet along the centerline of said Ben Ross Road to the TRUE POINT OF BEGINNING.
SUBJECT TO the right-of-way of said Ben Ross Road.



2004 NAIP 67-04149 Boehm 10/25/2006 SH.

EXHIBIT 'A'

A parcel of land situated within the W1/2 of Section 27 and the E1/2SE1/4 of Section 28, Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho, which parcel of land is more particularly described as follows:

Beginning at the southwest corner of the W1/2SW1/4NW1/4 of Section 27, T.14N., R.1W., B.M. (northwest corner of the NW1/4SW1/4 of said Section 27 and the northeast corner of the E1/2SE1/4 of Section 28., T.14N., R.1W., B.M.);

Thence N 0° 24'09"W, a distance of 553.13 feet along the west line of said W1/2SW1/4NW1/4;

Thence N 40° 05'58"E, a distance of 311.67 feet;

Thence N 21° 27'13"W, a distance of 563.53 feet to the northwest corner of said W1/2SW1/4NW1/4;

Thence N 89° 32'54"E, a distance of 659.07 feet along the north line of said W1/2SW1/4NW1/4 to the northeast corner of said W1/2SW1/4NW1/4;

Thence S 0° 22'12"E, a distance of 1316.07 feet along the east line of said W1/2SW1/4NW1/4 to the southeast corner of said W1/2SW1/4NW1/4, which point is on the north line of the NW1/4SW1/4 of said Section 27;

Thence N 89° 33'01"E, a distance of 658.33 feet along the north line of said NW1/4SW1/4 to the northeast corner of said NW1/4SW1/4;

Thence S 0°10'28"E, a distance of 436.27 feet along the east line of said NW1/4SW1/4 to a point which bears N 0°10'28"W (formerly north), a distance of 880.00 feet along the east line of said NW1/4SW1/4 from the southeast corner of said NW1/4SW1/4 (southwest corner of the NE1/4SW1/4 of said Section 27);

Thence S 16°21'00"E, a distance of 915.35 feet to a point on the south line of said NE1/4SW1/4;

Thence S 89°37'32"W (formerly west), a distance of 255.00 feet along the south line of said NE1/4SW1/4 to the southwest corner of said NE1/4SW1/4 (southeast corner of said NW1/4SW1/4);

Thence continuing S 89°37'32"W, a distance of 1318.91 feet along the south line of said NW1/4SW1/4 to the southwest corner of said NW1/4SW1/4, which point is on the east line of said E1/2SE1/4 of said Section 28;

Thence S 0°04'34"E, a distance of 691.93 feet, more or less, along the east line of said E1/2SE1/4 to a point on the north right-of-way line of Ben Ross Road;

Thence northwesterly along the northeasterly right-of-way of said Ben Ross Road to a point;

Thence N 9°58'42"E, a distance of 1753.55 feet, more or less, to a point on the north line of said E1/2SE1/4;

Thence N 89°33'01"E, a distance of 482.49 feet along the north line of said E1/2SE1/4 to the point of beginning.

Subject to the right-of-way of Ben Ross Road.

Same as 12/3/07 deed

SCANNED
NOV 13 2007

EXHIBIT 'A'

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho;
A parcel of land situated within the W1/2SW1/4NW1/4 of Section 27 and the NE1/4, the SE1/4 and the E1/2W1/2 of Section 28, more particularly described as follows:

N: 1483671.74
E: 2305057.98

Beginning at the Northeast corner of the NE1/4 of Section 28, T14NR1WBM;
Thence S 0° 24'09" East, a distance of 1316.05 feet along the East line of said NE1/4 (West line of the NW1/4 of Section 27, T14NR1WBM) to the Southeast corner of the NE1/4NE1/4 of said Section 28 (Northwest corner of the W1/2SW1/4NW1/4 of said Section 27);
Thence S 21° 27'13" East, a distance of 563.53 feet;
Thence S 40° 05'58" West, a distance of 311.67 feet to a point on the West line of said W1/2SW1/4NW1/4;
Thence S 0° 24'09" East, a distance of 553.13 feet along the West line of said W1/2SW1/4NW1/4 to the Southwest corner of said W1/2SW1/4NW1/4 (Southeast corner of said NE1/4 of Section 28);
Thence S 89° 33'01" West, a distance of 482.49 feet;
Thence S 9° 58'42" West, a distance of 1753.55 feet to a point on the Northeasterly right-of-way line of an existing County Road known as Ben Ross Road, which point is within the SE1/4 of said Section 28, and bears N 41° 19'23" West, a distance of 1196.14 feet from the Southeast corner of said SE1/4 and bears S 24° 25'58" West, a distance of 1901.06 feet from the Northeast corner of said SE1/4;

Leave out

These distances Just Reference the location of the Previous Point.

Thence Northwesterly, along the Northeasterly right-of-way line of said Ben Ross Road, to a point on the South line of the N1/2SE1/4 of said Section 28;
Thence West, a distance of 450 feet, more or less, along the South line of said N1/2SE1/4 to the Southwest corner of said N1/2SE1/4;
Thence North, a distance of 245 feet, more or less, along the West line of said N1/2SE1/4 to a point on the Northeasterly right-of-way line of said Ben Ross Road;
Thence Northwesterly, along the Northeasterly right-of-way line of said Ben Ross Road, to a point on the West line of the E1/2W1/2 of said Section 28;
Thence North, a distance of 2775.00 feet, more or less, along the West line of said E1/2W1/2, to the Northwest corner of said E1/2W1/2;
Thence East along the North line of said E1/2W1/2 and the North line of said NE1/4 to the POINT OF BEGINNING;
SUBJECT TO the right-of-way of Ben Ross Road as now established.

EXCEPTING THEREFROM the following parcel of land situated within the E1/2 of Section 28, Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho, more particularly described as follows:
Beginning at the Southeast corner of the E1/2 of Section 28, T14NR1WBM;
Thence N 44° 24'57" West, a distance of 2753.06 feet to the TRUE POINT OF BEGINNING, which point bears S 70° 59'19" West, a distance of 2034.23 feet from the Northeast corner of the SE1/4 of said Section 28;
Thence N 41° 13'10" West, a distance of 660.00 feet;
Thence N 48° 46'50" East, a distance of 330.00 feet;
Thence S 41° 13'10" East, a distance of 660.00 feet;
Thence S 48° 46'50" West, a distance of 330.00 feet to the TRUE POINT OF BEGINNING.

3-14-08

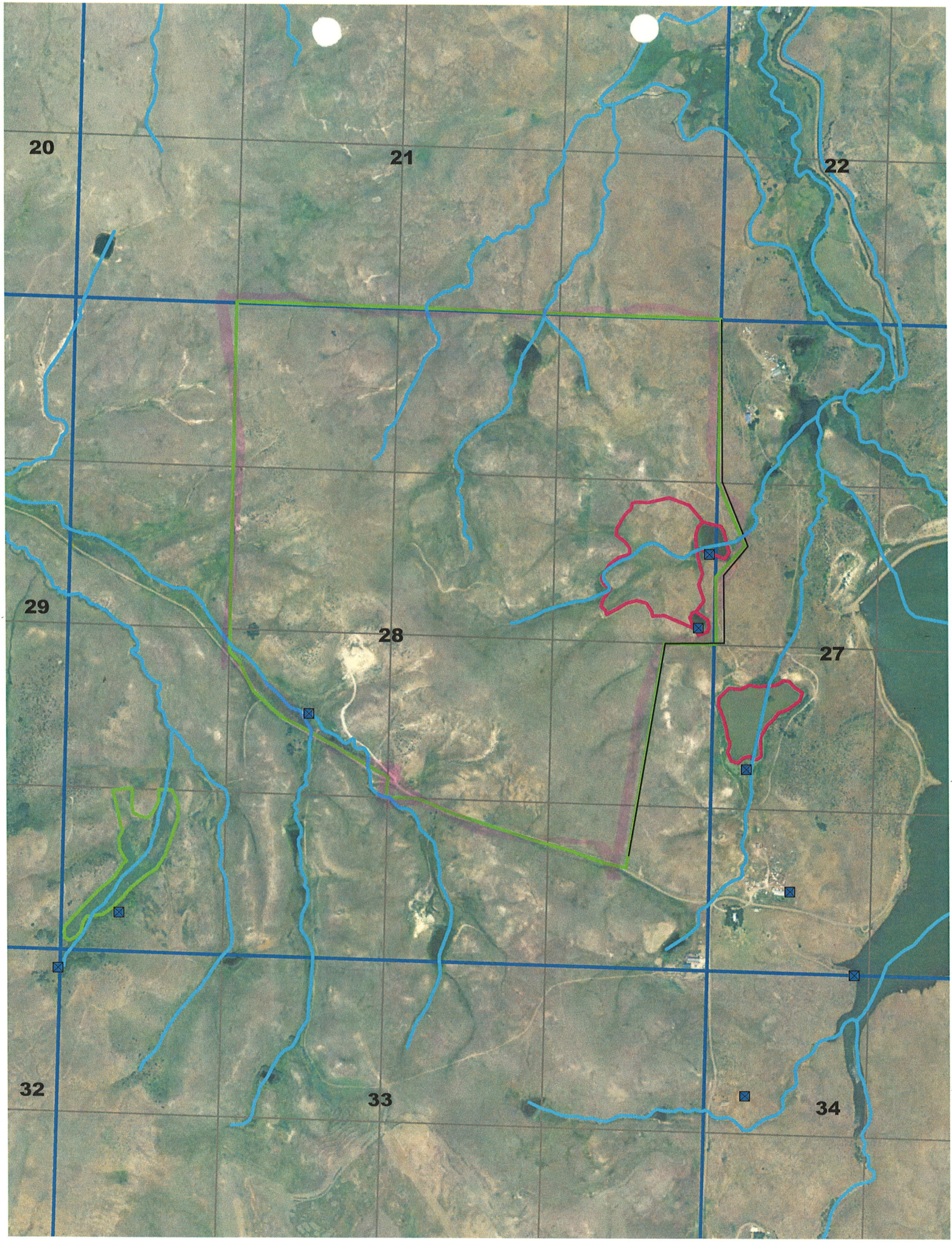

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EXHIBIT 'A' CONTINUED

TOGETHER WITH AND SUBJECT TO a 30.00 foot wide easement within the SE1/4 of Section 28, T14NR1WBM, said easement being for ingress, egress, and utilities, including, without limitations, for pedestrians, vehicles, utility access and related service access thereof such as to clear and service the roads, the easterly boundary of said easement being more particularly described as follows:
Beginning at the Southeast corner of the SE1/4 of Section 28, T14NR1WBM;
Thence N 57° 38'38" West, a distance of 2157.22 feet to the TRUE POINT OF BEGINNING at the intersection of the centerline of an existing County Road known as Ben Ross Road and the Easterly boundary of said 30.00 foot wide easement;
Thence N 8° 10'47" West, a distance of 96.32 feet;
Thence N 11° 31'18" East, a distance of 209.53 feet;
Thence N 1° 46'26" West, a distance of 102.57 feet;
Thence N 24° 34'11" East, a distance of 42.03 feet;
Thence N 48° 58'39" East, a distance of 138.20 feet;
Thence N 31° 11'04" East, a distance of 45.19 feet;
Thence N 12° 33'58' East, a distance of 87.03 feet;
Thence N 0° 12'10" West, a distance of 129.49 feet;
Thence N 22° 49'18" West, a distance of 98.41 feet;
Thence N 42° 39'21" West, a distance of 119.90 feet to the point of ending on the Southeasterly boundary of the parcel EXCEPTED from the above described legal description.

ALSO TOGETHER WITH AND SUBJECT TO a 66.00 foot wide easement within the NW1/4SW1/4 and the SW1/4NW1/4 of Section 27, T14NR1WBM, said easement being for ingress, egress, and utilities, including, without limitations, for pedestrians, vehicles, utility access and related service access thereof such as to clear and service the roads, said easement being more particularly described as follows:
Beginning at the Northeast corner of the NW1/4SW1/4 of Section 27, T14NR1WBM;
Thence S 89° 33'01" West, a distance of 50.28 feet along the North line of said NW1/4SW1/4 to the TRUE POINT OF BEGINNING at the intersection of the centerline of an existing County Road known as Ben Ross Road and the North line of said NW1/4SW1/4;
Thence continuing S 89° 33'01" West, a distance of 608.05 feet along the North line of said NW1/4SW1/4 to the Northeast corner of the W1/2NW1/4SW1/4 (Southeast corner of the W1/2SW1/4NW1/4);
Thence N 0° 22'12" West, a distance of 66.00 feet along the East line of said W1/2SW1/4NW1/4;
Thence S 89° 33'01" West, parallel to the South line of said W1/2SW1/4NW1/4, a distance of 658.37 feet to a point on the West line of said W1/2SW1/4NW1/4;
Thence S 0° 24'09" East, a distance of 66.00 feet along the West line of said W1/2SW1/4NW1/4 to the Southwest corner of said W1/2SW1/4NW1/4;
Thence N 89° 33'01" West, a distance of 558.33 feet along the South line of said W1/2SW1/4NW1/4;
Thence S 0° 22'12" East, parallel to the East line of said W1/2SW1/4NW1/4, a distance of 66.00 feet to a point within said NW1/4SW1/4;
Thence N 89° 33'01" East, parallel to the North line of said NW1/4SW1/4, a distance of 732.05 feet to a point on the centerline of said Ben Ross Road;
Thence N 20° 21'54" West, a distance of 70.20 feet along the centerline of said Ben Ross Road to the TRUE POINT OF BEGINNING.
SUBJECT TO the right-of-way of said Ben Ross Road.

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 22, 2008

John R. Schwenkfelder
5500 W. Old School Lane
Meridian, ID 83646

RE: 67-4149 Ownership Change

Dear Mr. Schwenkfelder:

The field exam conducted with Larry Boehm on October 25, 2006 revealed the property locations on the enclosed map. Larry indicated that the property to the west of the red line was owned by John Schwenkfelder, yet we have no record of a deed for this portion of property. The property to the west of the red line historically is the only property that has ever been irrigated.

The deed sent to IDWR (Exhibit A) when downloaded on to Deed plotter, indicates that it is for the property to the east of the red line (as indicated on the enclosed map). If you wish to have "irrigation from storage, and irrigation storage" included on the ownership change for Water Right #67-4149, please forward a deed for the property on the west side of the red line. Historically, only acreage on the west side has ever been irrigated.

If you have any questions, please do not hesitate to contact me at (208) 287-4920, or via Email: Sandy.Hemenway@idwr.idaho.gov

Sincerely,

Sandy Hemenway

Sandy Hemenway
Sr. Water Rights Agent

SCANNED
JAN 2 2 2008


dirt ditch
Irrigation Pod
10' pond
Irrigation Pod
dirt ditch
1' pond
head gate
10' pond
Dam
Stockwater Pond
Feed Lot
Hay barn
dirt ditch
Ben Ross Rd
Ben Ross Reservoir
House 2303
PDD Pump
Anderson Creek
= property west of line owned by Schoenfelder, east side owned by Boehm
SCANNED
JAN 2 2 2008

69-449

To Whom It May Concern

I, Gladys Johnson, would like to verify that the Archer Pond (locally called) that now Belongs to Larry Boehm, was built in 1924. The Ben Ross Reservoir was built some time later in the late 1930's.

Gladys Johnson

Attached Notary Statement by Cyndi Dunham Bauer

ACKNOWLEDGMENT CERTIFICATE
(INDIVIDUAL PERSONALLY KNOWN BY NOTARY)

State of Idaho)
S.S.
County of Adams)

On this 14 day of January, in the year of 2009 before me Cyndi Dunham Bauer, a notary public, personally appeared Gladys Johnson, personally known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (she) (they) executed the same.

CYNDI DUNHAM BAUER
NOTARY PUBLIC
STATE OF IDAHO
SEAL

Cyndi Dunham Bauer
Notary Public
My Commission Expires on 9/30/09

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
JUN 16 1999
WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 29, 1999

LARRY AND JEANNE BOEHM
2203 BEN ROSS RD
INDIAN VALLEY ID 83632

6-7-99 Response, SS

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-11320, 67-11321 & A67-04149
Change of Address

Dear Water Right Holders:

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

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by May 17, 1999. Thank you for your help.

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

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

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#######

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

_____

Claimant Signature Telephone No.

SCANNED
APR 08 2004

Notice to Mailer of Correction in Address

Addressee's Account Number *(All numbers, dates, and letters)*

67-11320, 67-11321, A67-04149

☐ No account number on mail
☐ Account number illegible

Addressee's Name

Larry & Jeanne Boehm

Old Address *(Include apartment or suite number)*	P.O. Box 56
City, State, and ZIP Code	Indian Valley Id 83632
New Address *(Include apartment or suite number)*	2203 Ben Ross Rd.
City, State, and ZIP Code	Indian Valley, Id - 83632

This card is furnished:

☒ For address correction, as requested *(your mailpiece was forwarded).*
☐ In place of Form 3579 *(see reason for nondelivery below).*

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address ☐ No such street ☐ No such number
☐ Refused ☐ Attempted, not known ☐ Unclaimed

PS Form **3547,** June 1995

Form 42-248/42-1409(6) 12/ 2006

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

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
	67-4149 ✓	no			
	67-10134 ✓	no			
P.D. 67-10133		no			
P.D. 67-10135	cc: W.A. 12-19-06	no			
P.D. 67-11320		no			
P.D. 67-11321		no			

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 on file with the county Planning and Zoning or Recorder's Office).

   OR

   D. 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 or equivalent **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): Jeanne Boehm & Larry Boehm (note Vivian & Jeanne Boehm are the same person – Vivian Jeanne Boehm)

4. New Owner/Claimant(s): Larry Boehm

   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: 2203 Ben Ross

   City, State and ZIP Code: Indian Valley ID 83632

   New Telephone Number: (208) 256-4331

SCANNED
DEC 19 2006

5. Date you acquired the property _____

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. X **Signature(s) of New Owner(s) or Claimant(s)** Larry L Backus
(title if applicable)
_____
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
Received by _____ Date _____ Receipt Amt. _____
Receipted by _____ Date _____ Receipt No. _____
Processed by DO AJ Date 12-19-06 WR _____ Date _____

Okay to change MVB 12-18-06

SCANNED
DEC 19 2006

STATE OF IDAHO

CERTIFICATION OF VITAL RECOR

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS

CERTIFICATE OF DEATH

Date Filed NOVEMBER 16, 2005

State File No. 2005-08800

DECEDENT - LEGAL NAME
VIVIAN J. BOEHM

SEX	SOCIAL SECURITY NUMBER	AGE	DATE OF BIRTH
FEMALE	[redacted]	65 YEARS	SEPTEMBER 24, 1940

BIRTHPLACE	PLACE OF RESIDENCE
HEATH, IDAHO	INDIAN VALLEY, IDAHO

MARITAL STATUS AT TIME OF DEATH	NAME OF SURVIVING SPOUSE (If wife, maiden name)	WAS DECEDENT EVER IN U.S. ARMED FORCES?
MARRIED	LARRY BOEHM	NO

FATHER - NAME	BIRTHPLACE
JACK ALDRICH	WASHINGTON
MOTHER - MAIDEN NAME	BIRTHPLACE
VELNA BOYLES	IDAHO

METHOD OF DISPOSITION	FUNERAL SERVICE LICENSEE
BURIAL	ALAN R. EGBERT

NAME AND ADDRESS OF FUNERAL FACILITY
THOMASON FUNERAL HOME, INC., WEISER, IDAHO

DATE OF DEATH	TIME OF DEATH	CITY, TOWN OR LOCATION OF DEATH	COUNTY OF DEATH
NOV. 07, 2005	5:00 P.M.	INDIAN VALLEY, IDAHO	ADAMS

CAUSE OF DEATH (underlying cause last)
a. COLON CANCER — Approximate Interval Between Onset and Death: 1 YEAR

DUE TO (or as a consequence of):
b.

DUE TO (or as a consequence of):
c.

DUE TO (or as a consequence of):
d.

OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above
NONE STATED

WAS AN AUTOPSY PERFORMED? NO

MANNER OF DEATH	NAME OF CERTIFIER	TITLE
NATURAL	LARRY FIORENTINO, M.D.	PHYSICIAN

CORONER SUBSEQUENT CERTIFICATION IF NECESSARY

EXTERNAL CAUSES ONLY

DATE OF INJURY	TIME OF INJURY	PLACE OF INJURY	INJURY AT WORK?

LOCATION WHERE INJURY OCCURRED

DESCRIPTION OF HOW INJURY OCCURRED

SCANNED
DEC 19 2006

GREAT SEAL OF THE STATE OF IDAHO — ESTO PERPETUA

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.

DATE ISSUED: NOVEMBER 17, 2005

This copy not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

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

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
67-4149		no			

Need to correct acreage to amount found in field exam (16.43 acres) & insert a shapefile.

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** ownership of the property and water right(s) or claim(s) in question, V

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): Larry L. Boehm
2203 Ben Ross, Indian Valley, ID 83632

4. New Owner/Claimant(s): John R. Schwenkfelder & Bonnie P. Schwenkfelder
Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address: 5500 W. Old School Lane

City, State and ZIP Code: Meridian, ID 83646

New Telephone Number: (208) 447-9395

5. Date you acquired the property: October 31, 2007

SCANNED
NOV 13 2007

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 IT 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) (include title if applicable) _____
Bonnie P Schwendiman

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 DB Date 11-5-07 Fee N/A
Receipted by _____ Date _____ Receipt No. _____
Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

COPY

For Value Received, LARRY L. BOEHM, a widower

the grantor does hereby grant, bargain, sell and convey unto
JOHN R. SCHWENKFELDER and BONNIE ~~C~~ P. SCHWENKFELDER, husband and wife

the grantees, whose current address is 5500 W. Old School Lane, Meridian, ID 83646

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that he will warrant and defend the same from all lawful claims whatsoever.

Date: OCTOBER 29, 2007

Larry L. Boehm

LARRY L. BOEHM

Instrument # 115470
COUNCIL, ADAMS, IDAHO
2007-10-31 12:38:49 No. of Pages: 2
Recorded for : TIMBERLINE TITLE & ESCROW
SHERRY WARD Fee: 6.00
Ex-Officio Recorder Deputy Peggy Linked
Index to: DEED

STATE OF Idaho
: ss
COUNTY OF Adams

On this 29th day of October, in the year of 2007, before me, a Notary Public in and for said State, personally appeared LARRY L. BOEHM
known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me he executed the same.

KAREN L. AMIDON NOTARY PUBLIC STATE OF IDAHO

Karen L. Amidon

Notary Public
Residing at: Cambridge, ID
Commission expires: 6.26.2009

#07-562

SCANNED
NOV 13 2007

EXHIBIT 'A'

A parcel of land situated within the W1/2 of Section 27 and the E1/2SE1/4 of Section 28, Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho, which parcel of land is more particularly described as follows:

Beginning at the southwest corner of the W1/2SW1/4NW1/4 of Section 27, T.14N., R.1W., B.M. (northwest corner of the NW1/4SW1/4 of said Section 27 and the northeast corner of the E1/2SE1/4 of Section 28., T.14N., R.1W., B.M.);

Thence N 0° 24'09"W, a distance of 553.13 feet along the west line of said W1/2SW1/4NW1/4;

Thence N 40° 05'58"E, a distance of 311.67 feet;

Thence N 21° 27'13"W, a distance of 563.53 feet to the northwest corner of said W1/2SW1/4NW1/4;

Thence N 89° 32'54"E, a distance of 659.07 feet along the north line of said W1/2SW1/4NW1/4 to the northeast corner of said W1/2SW1/4NW1/4;

Thence S 0° 22'12"E, a distance of 1316.07 feet along the east line of said W1/2SW1/4NW1/4 to the southeast corner of said W1/2SW1/4NW1/4, which point is on the north line of the NW1/4SW1/4 of said Section 27;

Thence N 89° 33'01"E, a distance of 658.33 feet along the north line of said NW1/4SW1/4 to the northeast corner of said NW1/4SW1/4;

Thence S 0°10'28"E, a distance of 436.27 feet along the east line of said NW1/4SW1/4 to a point which bears N 0°10'28"W (formerly north), a distance of 880.00 feet along the east line of said NW1/4SW1/4 from the southeast corner of said NW1/4SW1/4 (southwest corner of the NE1/4SW1/4 of said Section 27);

Thence S 16°21'00"E, a distance of 915.35 feet to a point on the south line of said NE1/4SW1/4;

Thence S 89°37'32"W (formerly west), a distance of 255.00 feet along the south line of said NE1/4SW1/4 to the southwest corner of said NE1/4SW1/4 (southeast corner of said NW1/4SW1/4);

Thence continuing S 89°37'32"W, a distance of 1318.91 feet along the south line of said NW1/4SW1/4 to the southwest corner of said NW1/4SW1/4, which point is on the east line of said E1/2SE1/4 of said Section 28;

Thence S 0°04'34"E, a distance of 691.93 feet, more or less, along the east line of said E1/2SE1/4 to a point on the north right-of-way line of Ben Ross Road;

Thence northwesterly along the northeasterly right-of-way of said Ben Ross Road to a point;

Thence N 9°58'42"E, a distance of 1753.55 feet, more or less, to a point on the north line of said E1/2SE1/4;

Thence N 89°33'01"E, a distance of 482.49 feet along the north line of said E1/2SE1/4 to the point of beginning.

Subject to the right-of-way of Ben Ross Road.

SCANNED
NOV 13 2007

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

Iona A. Young, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

Two weekly consecutive insertions, beginning with the issue of June 8, 1972, and ending with the issue of June 15, 1972.

Iona A. Young

Subscribed and sworn to before me this 16th day of June, 1972.

Dorothy M. McClure
Notary Public for Idaho, Residing at Boise, Idaho
Meridian

NOTICE OF CLAIM TO A WATER RIGHT
No. 63-4149

Notice is hereby given that YANCEY RAY &-or ELIZABETH S. AHRENS, 6030 Outlook, Boise, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from waste water with the point of diversion in the NE¼ SW¼, Sec. 19, T. 4 N, R. 2 E, B.M.

The water is claimed to be used from April 1 to Oct. 31, for irrigation purposes with a priority of March 29, 1966. The place of use is within the NE¼SW¼, Sec. 19, T. 4 N, R. 2 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before June 26, 1972.

R. KEITH HIGGINSON
Director

Pub. June 8, 15, 1972 365

63 4149

Identification No. _____
Claim No. 63-4149 R
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Yancey Bay and Elizabeth S. Ahrens
post office address 6030 Outlook Boise, Idaho 83703
2. The point of diversion is in NE ¼ of SW ¼ Section 19 Township 4 N.
Range 2 E B.M. located on Waste water
(name of source)
tributary to _____ in Ada County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
   a. Date of priority claimed:
   March 29, 1966 amount: .03 c.f.s. or _____ acre feet
   _____ amount: _____ c.f.s. or _____ acre feet
   _____ amount: _____ c.f.s. or _____ acre feet
   Total claimed .03 c.f.s. or _____ acre feet.
   b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
   use Irrigation period of use from April 1 to October 31 (both dates inclusive)
   use _____ period of use from _____ to _____ (both dates inclusive)
   use _____ period of use from _____ to _____ (both dates inclusive)
   use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
   a. Surface water diversion dam and/or headgate: material is composed of _____
   _____; length is _____ feet; height is _____ feet; width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first buil, giving dates and estimated capacities if known _____
   _____
   _____
   _____
   b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
   capacity of pump is _____ g.p.m.; name and address of well driller is _____
   _____;

63 4149

attach well logs if available; has there been any change in pump or motor since well was first completed 63 1119 _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____ period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2E	19			*						X								1 ACRE

Total number of acres to be irrigated 1 acre

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. *Do you get water through a ditch owned by several users?* No *If yes, give the name of the ditch* _____. *The other users and their respective interests in the ditch are (if known)* _____

6. *Where water is used for stock watering, give number of each kind of stock watered* No

7. Where water is used for domestic or municipal purposes give number of families served No
name of town supplied No

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, *giving dates and quantities* No

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of Idaho }
County of _____ } 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 affiants knowledge.

J.R. Ahrens Elizabeth S Ahrens
Claimant

Sworn to before me this 18th day of May, 1972

Notary Public

Residing at 6202 Twin Springs Rd. Boise

My commission expires January 1974

For Department Use Only

Received by KHF Date 5-22-72	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by KHF Date 5-22-72 #9215			
Fee received by Mrs F. Date 5-22-72 Fee $ 10.00			
Approved for publication by DC			
Published in Statesman Dates 6-8 & 15-72		63-4149	

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.

2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.

3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed: May 18, 1871 amount: 0.8 c.f.s. or _____ acre feet
June 1, 1901 amount: 0.4 c.f.s. or _____ acre feet
Total claimed: 1.2 c.f.s. or _____ acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.

5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.

6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

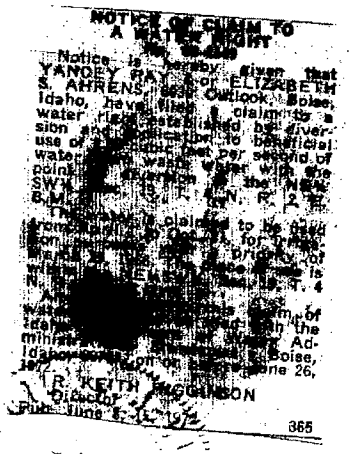
You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is $10.00.

STATE OF IDAHO)
)ss.
COUNTY OF ADA)

Iona A. Young, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for


NOTICE OF CLAIM TO A WATER RIGHT
Notice is hereby given that
YANDEY RAY or ELIZABETH
S. AHRENS, 6638 Outlook, Boise,
Idaho, have filed claim(s) by a
water right(s) established by diver-
sion and
use of
water
point
SW1
S.M.
The
from
for
is
of
with the
Ad-
Boise,
ane 26,
R. KEITH
Director
Pub. June 8, 15, 1972
365

Two weekly consecutive insertions, beginning with the issue of June 8, 1972, and ending with the issue of June 15, 1972.

Iona A. Young

Subscribed and sworn to before me this 16th day of June, 1972.

Dorothy M. McClure

Notary Public for Idaho, Residing at Boise, Idaho
Meridian

63 4149

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

June 30, 1972

Re: Claim to a Water Right No. 63-4149

Mr. Yancey Ray Ahrens
6030 Outlook
Boise, Idaho 83703

Dear Mr. Ahrens:

The Department of Water Administration has completed the processing of your claim to a water right and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of the above referenced claim. If you have any questions, or if we can be of further assistance, please do not hesitate to contact this Department.

Sincerely,

Robert W. Hamilton
Supervisor of Water Distribution
Western District

RWH:CS

Enc: copy of referenced claim

63 4149

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

June 2, 1972

Re: Application for Permit Nos. 63-7606 - Harry Showalter
63-7608 - Graydon L. Hall
Claim to a Water Right Nos. 63-4146 - James J. Jenkins
63-4147 - William M. Gornik
~~63-4149~~ - Yancey Ray & Elizabeth S. Ahrens
63-4150 - Clarence B. Weber
63-4151 - " " "
63-4154 - George Thomas &/or Dorothy Jean Tinsley

The Idaho Statesman
Post Office Box #2640
Boise, Idaho 83701

Gentlemen:

Enclosed you will find eight (8) legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit us a galley proof for each notice, for our review before publication.

After sending us the galley proofs, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department for each legal notice, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(signature of claimant)

Sincerely,

Dorian Clay
Water Resource Examiner
Western District

DC:CS

Enc: Legal Notices (8)

Bill Submitted 6-21-72

63 4149

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Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before June 26, 1972.

R. KEITH HIGGINSON
Director

Pub. June 8 15 1972.

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4149

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The water is claimed to be used from April 1 to Oct. 31, for irrigation purposes with a priority of March 29, 1966. The place of use is within the NE¼SW¼, Sec. 19, T. 4 N, R. 2 E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before June 26, 1972.

R. KEITH HIGGINSON
Director

Published in the Idaho Statesman, Boise, Idaho, on June 8 and 15, 1972.

63 4149

COPY







When Ben Ross Reservoir fills up, it covers this POD & back-fills all the way up into Anderson Creek

67-4149 Boehm
10/25/2006 SH

- annually rent 30 Hp Poosch pump w/ 6" discharge, 40psi for 6 days



earthen dam to help collect water from Anderson Creek

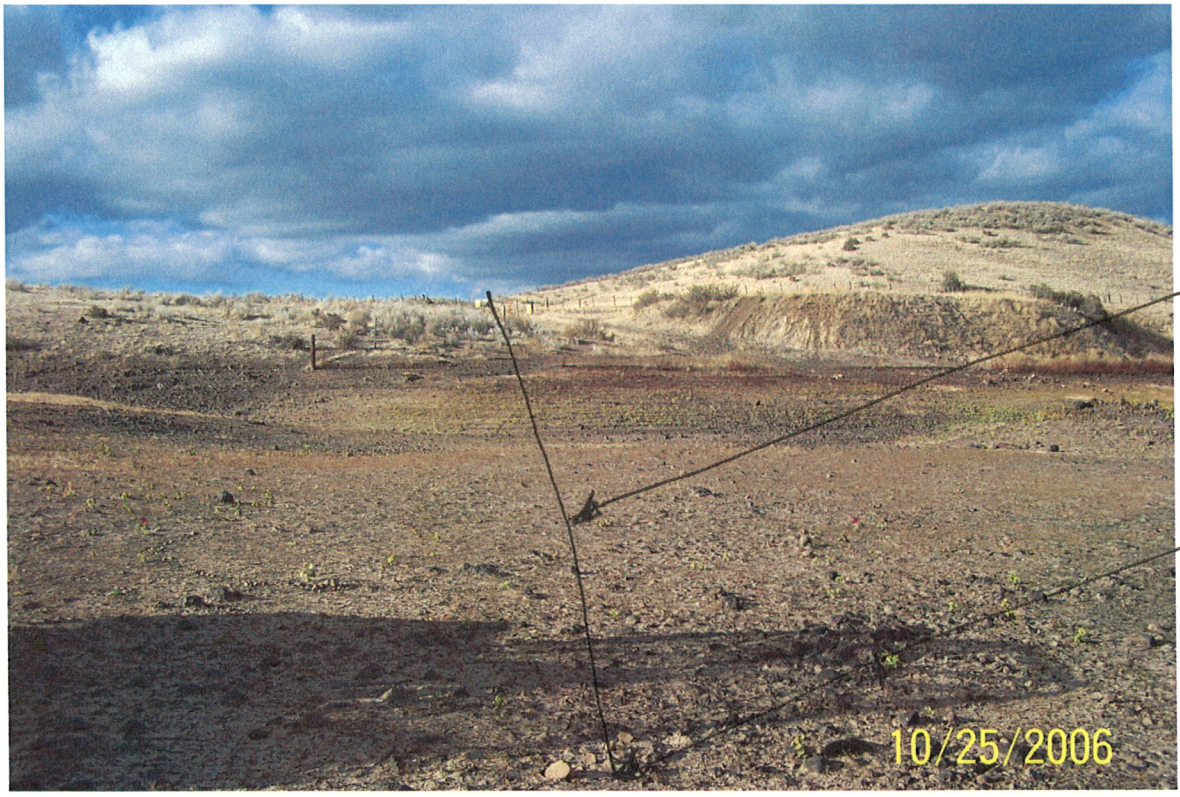
Ben Ross Reservoir (when dry)

POD where pump is set

when filling it backs up into Anderson Creek & covers the POD

pumps are rented for each year for 60 days to fill the ponds

67-4149 Boehm
10/25/2006 SH



pumped ~1/4 mile up from POD then gravity flow

POD



8"x 48" ditch

from POD to these dirt ditches then gravity flow to pond #1, overflow to pond #2, then irrigate or overflow to pond #3

67-4149 Boehm
10/25/2006 SH



pond #1

10' average depth

stockwater pond



pond #1

67-4149 Boehm
10/25/2006 SH



head gate, control valve on north side of pond #1 w/ 4" line to pond #2



Pond #2

dike separating sides (property line)

Pond #2

(split, since property sold to Schwenkfelder the north side of pond)

67-4149 Boehm
10/25/2006 SH



dike seperating north + south side of pond #2

(Schwenkfelder was given an easement on the dike)



POU irrigation.

67-4149 Boehm
10/25/2006 SH



Pond #3

catches all overflow & run-off from irrigation

Stockwater pond

67-4149 Boehm
10/25/2006 SH

Sandy —

10-18-06
MB

Needs several measurements:

1) Ditch off Anderson Creek POD
A 0016727

2) PTO flow estimate

3) Each pond

All else is good.

67-4149

EOP

claimed 6-1-1928

overlap decreed? 14N1W 27 - no overlaps
14N1W 28 - no overlaps

Source: Anderson Creek was not party to Muir v. Allison

Affidavit from Delbert Ogle

57 yo, lived in area whole life

could remember 52 yrs., probably

affidavit not notarized, but Delbert Ogle gave notarized affidavit for other files

2005
- 52
1953 ← recommend 1st day of irrigation season

POD

A0016727 - rec

#029 on GPS

Z305350

1482041

there is an un-GPSed seep in NWNE used for stockwater

Claimed Rediversions

Sec 27 NWSW - Red.
SESWSW - Div.

Sec 28 SENE - Red.
NESE - Red.

Rec rediversions as claimed, POD as GPSed

Source

FE confirms source

POU

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

RECEIVED
SEP 16 2005
Department of Water Resources

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

August 30, 2005

67-4149, 67-10134
Larry & Jeanne Boehm
PO BOX 56
INDIAN VALLEY, ID 83632

RESPONSE DEADLINE SEPTEMBER 16, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number(s) shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. A map of the general area stated in your claim is also enclosed. If you irrigate, please outline the location of lands irrigated based on your claim, as well as the location of any points of diversion, if possible. If you have a claim other than irrigation, please outline the location of your place of use (i.e. house) and note the location of wells or other points of diversion. Please submit the completed map along with your evidence of priority. This will assist me in making a more accurate recommendation of your claim(s).

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. You can contact the Basin 67 team via e-mail at B67questions@IDWR.idaho.gov. If you wish to call, our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

SCANNED
SEP 19 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4149

WATER RIGHT NUMBER: 67-4149

Owner Type	Name and Address
Current Owner	JEANNE BOEHM PO BOX 56 INDIAN VALLEY, ID 83632 (208)256-4331
Current Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 06/01/1928

Basis: Statutory Claim

Status: Active

Source	Tributary
ANDERSON CREEK	LITTLE WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION FROM STORAGE	1/01 to 12/31		50.00 AF
IRRIGATION STORAGE	1/01 to 12/31		50.00 AF
STOCKWATER STORAGE	1/01 to 12/31		50.00 AF
STOCKWATER FROM STORAGE	1/01 to 12/31		50.00 AF
	Total Diversion:		50.00 AF

Location of Point(s) of Diversion

ANDERSON CREEK ADAMS County	SE1/4NE1/4 (Rediversion)	Sec. 28,	Twp 14N,	Rge 01W, B.M.
ANDERSON CREEK ADAMS County	NW1/4SW1/4 (Rediversion)	Sec. 27,	Twp 14N,	Rge 01W, B.M.
ANDERSON CREEK ADAMS County	NE1/4SE1/4 (Rediversion)	Sec. 28,	Twp 14N,	Rge 01W, B.M.
ANDERSON CREEK ADAMS County	SE1/4SW1/4SW1/4	Sec. 27,	Twp 14N,	Rge 01W, B.M.

Place of Use

IRRIGATION FROM STORAGE Within ADAMS County

T14N R01W S28	NENE		T14N R01W S28	SENE	

Total Acres: 33

IRRIGATION STORAGE Within ADAMS County

T14N R01W S28	NENE	15.0	T14N R01W S28	SENE	18.0

Total Acres: 33

STOCKWATER STORAGE Within ADAMS County

SCANNED

SEP 19 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4149

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

STOCKWATER FROM STORAGE Within ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

Conditions of Approval:

1. THIS RESERVOIR HAS 2 SMALL PONDS THAT TAKE OVERFLOW. WATER IS GRAVITY FLOWS TO EACH AND THEN IS PUMPED OUT OF UPPER POND ON TO THE ACRES IRRIGATED.

Remarks:

Water Supply Bank:

SCANNED

SEP 19 2005

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S)) AFFIDAVIT
67-4149)
)
)
State of Idaho)
County of Adams)

Larry L. Boehm being first duly sworn, deposes and says: I have been using said water Primarily For stock Water and if I have a good water year I irrigate (one time) what hay I can with what water I have been able to store. Anderson Ck. is always dry by the middle of may or 1st. of June. As of now I own the said Property but in the next Few weeks Im Selling the Ground in Sec. 28 to Robert Schwenkfelder and we will continue to use the water if it is any there. This year the Water ran about 5days. We had to get by with what I had left over.

P.S. Your Map is to Far North to Show where the Main Pumping Station is.

(Well Let you know when Schwenkfelder takes over)

Larry L Boehm
(Signature)

COLLEEN M. SKILLINGS NOTARY PUBLIC STATE OF IDAHO SEAL

Subscribed and sworn to before me this day 14th of September, 19 2005.

Colleen M. Skillings
(Notary Public)

Residing at Indian Valley

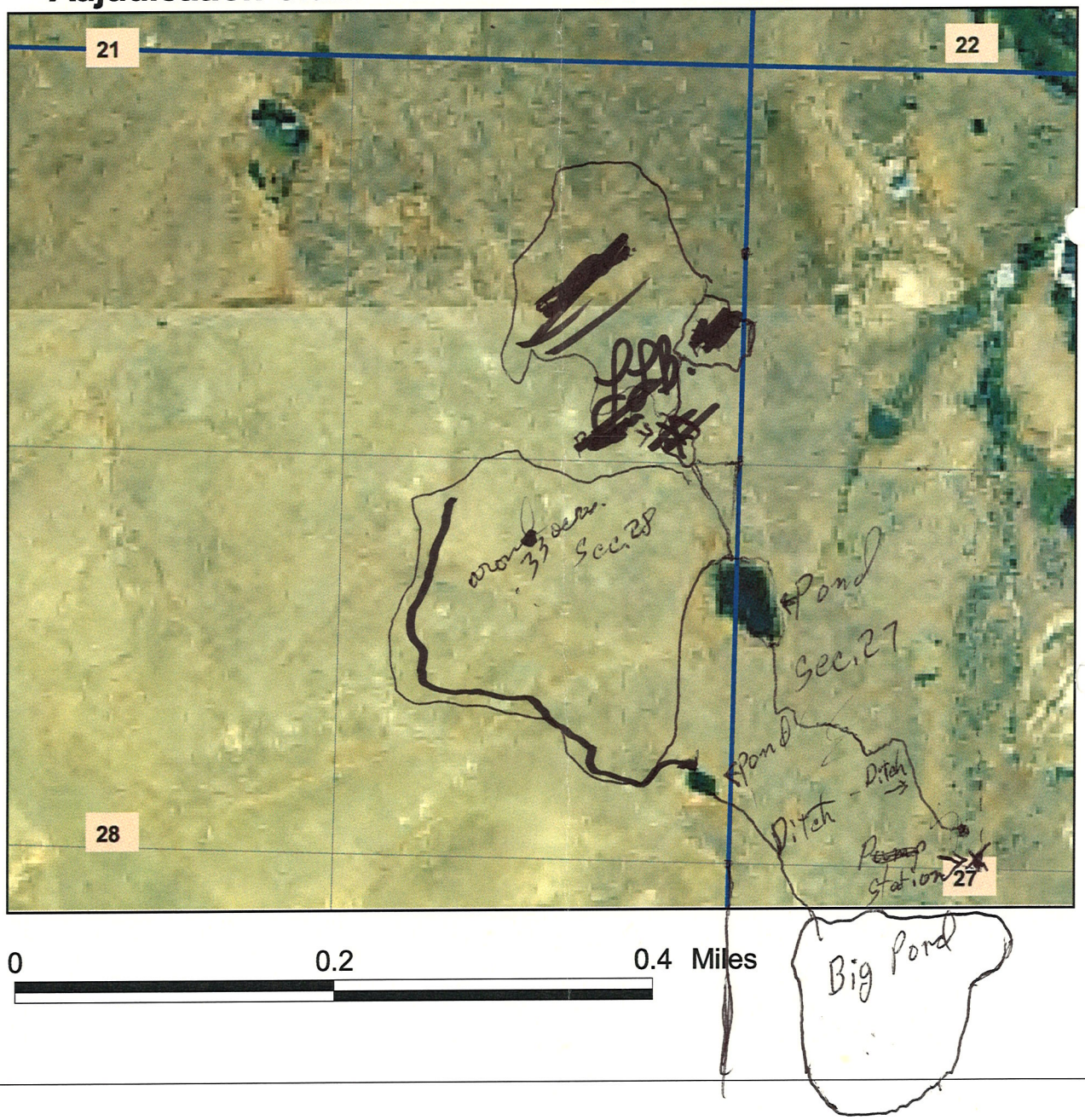
My Commission Expires 7/1/2010

SCANNED SEP 19 2005

Idaho Department of Water Resources

Adjudication Claim Number: **67-4149**

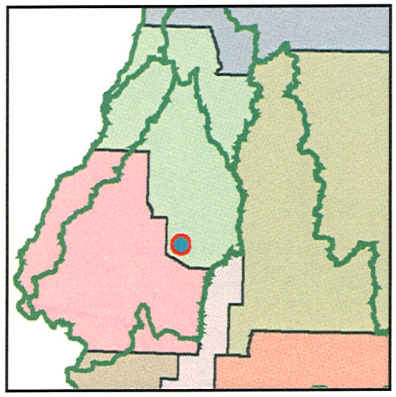
T14N R01W



0 0.2 0.4 Miles

Legend

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67

N

Prepared by D. Narsavage
On Wednesday, August 31, 2005
1987 Aerial Photography

SCANNED
SEP 1 9 2005

Delbert Ogle
Box 75
Indian Valley, Idaho 83632
Sept. 7, 2005

Dear Craig L. Saxton

I witnessed Larry Boehm beneficial use of water from Anderson creek which is a Tributary to the Little Weiser River. I have lived in Indian Valley 57 years all my life and have ranch down stream from the Boehm Ranch. Roy Boehm his father used the water before Larry for many years also on the same ranch.

Delbert Ogle
Owner Ogle Ranch

Delbert Ogle

SCANNED
SEP 19 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10134

WATER RIGHT NUMBER: 67-10134

Owner Type	Name and Address
Current Owner	VIVIAN J BOEHM PO BOX 56 INDIAN VALLEY, ID 83632 (208)256-4331
Current Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 12/15/1910

Basis: Beneficial Use

Status: Active

Source	Tributary
KING HILL CREEK	LITTLE WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	4/15 to 10/15	0.020 CFS	
IRRIGATION	4/15 to 10/15	0.060 CFS	
DOMESTIC	4/15 to 10/15	0.020 CFS	
	Total Diversion:	0.100 CFS	

Location of Point(s) of Diversion

KING HILL CREEK NW1/4NE1/4SE1/4 Sec. 13, Twp 14N, Rge 01E, B.M.
ADAMS County

Place of Use

STOCKWATER Within ADAMS County

T14N R01E S23 NENE

IRRIGATION Within ADAMS County

T14N R01E S23 NENE 2.0

Total Acres: 2

DOMESTIC Within ADAMS County

T14N R01E S23 NENE

Conditions of Approval:

Remarks:

SCANNED

SEP 19 2005

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S)) AFFIDAVIT
67-10134)
)
)
State of Idaho)
County of Adams)

Larry L. Bochm being first duly sworn, deposes and says: I have been using said Water as stated on the Water Resources Paper that you have Sent me. the Document Page no. 373 and as your records should show a 1903 Priority right. I'm not happy with your So Called Picture but will mark as close as I can where I irrigate said two Acres of ground. Thank You Very Much

P.S. the so called Picture should be of Sec. ~~23~~ 23 NOT Section 14

Larry L Bochm
(Signature)

COLLEEN M. SKILLINGS NOTARY PUBLIC STATE OF IDAHO SEAL

Subscribed and sworn to before me this day 14th of September, ~~19~~ 2005.

Colleen M Skillings
(Notary Public)

Residing at Indian Valley.

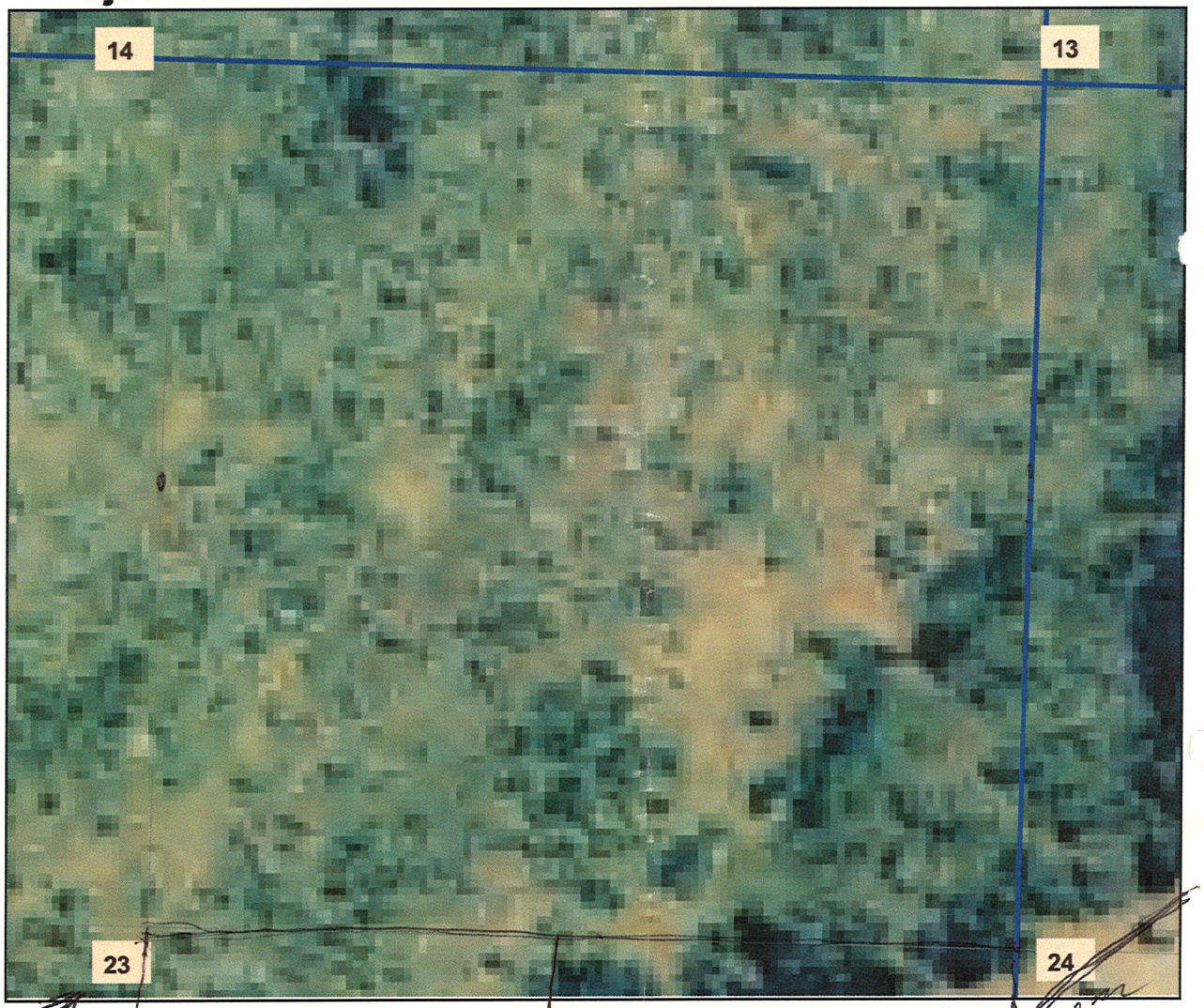
My Commission Expires 7/1/2010.

SCANNED SEP 19 2005

Idaho Department of Water Resources

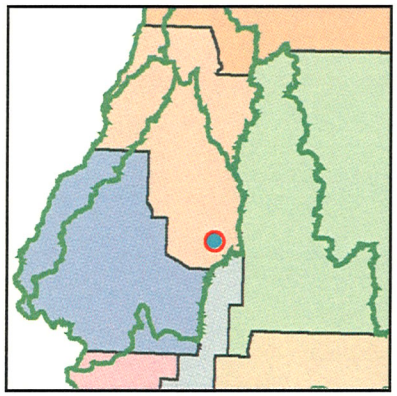
Adjudication Claim Number: **67-10134**

T14N R01E



Legend

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67

N

0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Thursday, September 1, 2005
1987 Aerial Photography

SCANNED
SEP 19 2005



#A0016727POD.JPG

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: A67-04149
Date Received: 12/13/1989
Receipt No: W007112
Received By: RDL

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: LARRY BOEHM 208-256-4331
   Address: P.O. BOX 56
   INDIAN VALLEY, ID 83632
   OR
   Name: JEANNE BOEHM deceased 208-256-4331
   Address: P.O. BOX 56
   INDIAN VALLEY, ID 83632

2. Date of Priority: JUN 01, 1928

3. Source: ANDERSON CREEK Trib. to: LITTLE WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	01W	27		NW	SW	R	ADAMS
			SE	SW	SW		ADAMS
		28		SE	NE	R	ADAMS
				NE	SE	R	ADAMS

5. Description of diverting works:
   PUMP,PIPELINE APPROX 1/4 M.TO RES.THEN OVERFLOW INTO 2 SM. PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			50.00
STOCKWATER FROM STORAGE	01/01	12/31			50.00
STOCKWATER STORAGE	01/01	12/31			50.00
IRRIGATION FROM STORAGE	01/01	12/31			50.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 50.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

MICROFILMED
OCT 02 1992
SCANNED
APR 08 2004

9. Non-irrigation uses:
UP TO 45HD BEEF AND UP TO 6 HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14N	01W	27	SW	NW		STOC S	
			SW	NW		STO FS	
			NW	SW		STOC S	
			NW	SW		STO FS	
		28	NE	NE		IRR S	15.0
			NE	NE		IRR FS	
			SE	NE		IRR S	18.0
			SE	NE		STOC S	
			SE	NE		IRR FS	
			SE	NE		STO FS	
						Section Acres	33.0
						Total Acres	33.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-11320,A67-11321

14. Remarks:
THIS RESERVOIR HAS 2 SMALL PONDS THAT TAKE OVERFLOW.
WATER IS GRAVITY FLOWS TO EACH AND THEN IS PUMPED OUT
OF UPPER POND ON TO THE ACRES IRRIGATED.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
OCT 02 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 X 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): x Larry Boehm Date: Dec. 13 89

_____ Date: _____

State of Idaho)
) SS.
County of ADA)

Subscribed and sworn (or affirmed) before me this 13th day of Dec 19 89

Ron Howerton
Notary Public

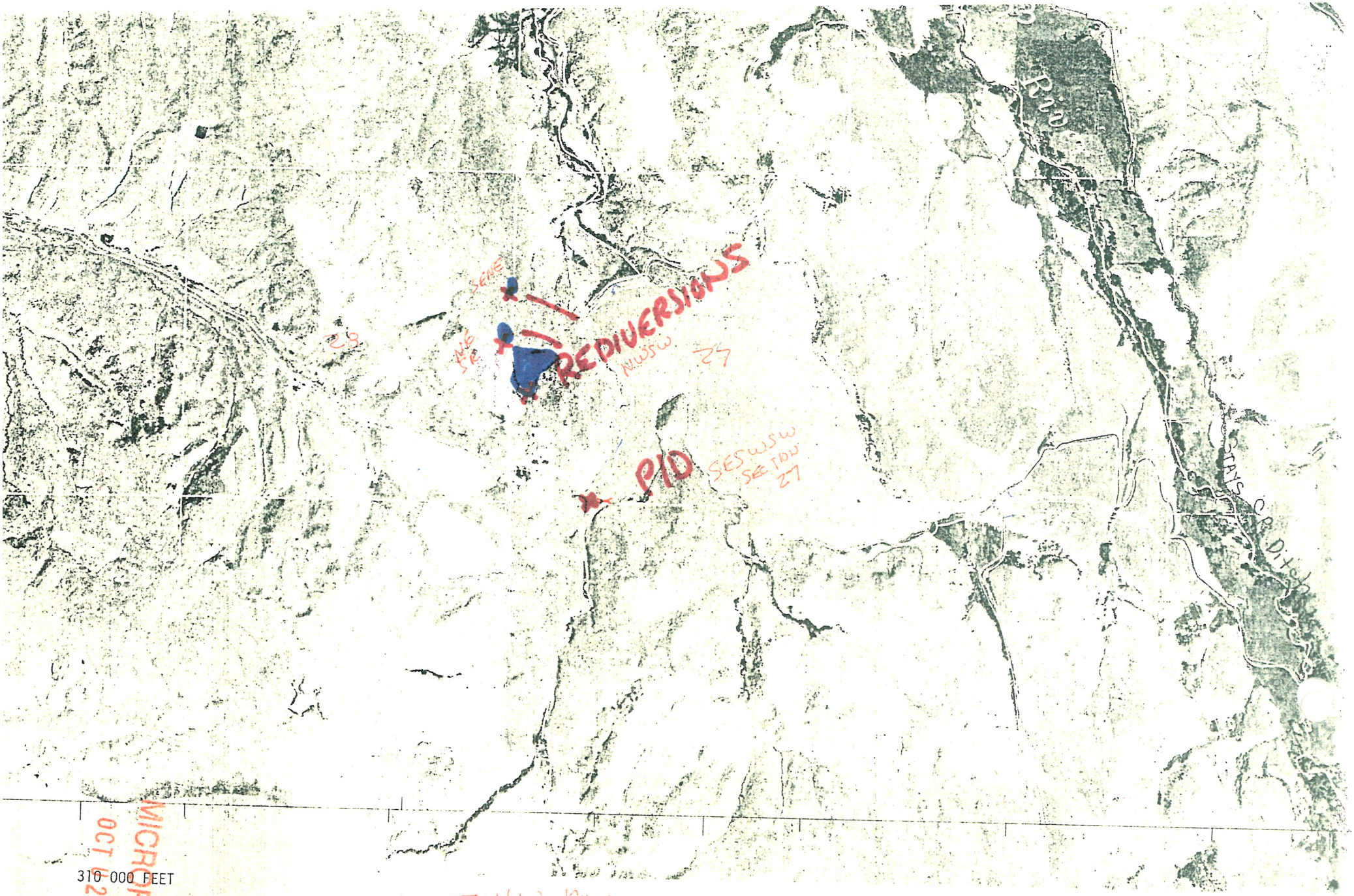
Seal

Residing at Ron Howerton
Residing at Boise, Idaho

My Commission Expires My Commission Expires December 8, 1994

MICROFILMED
OCT 02 1992


1988
F#78
T-235
L. NIDA
F#77
T-210
L. BOEHM
21
28
27
NENE
15
CRP this year only
9
52.5
10
26.7
Alfalfa & grass
18
1
49.2
CRP
4
8.3
CRP
SENE
6A
New Seeding
CRP
3
7.1
Alfalfa & Grass
Stock well
2
16.4
CRP
5
36.8
CRP
CRP
6
16.3
PB
7
POND
CRP
8
5.6
5th
Blo
Plot
2A
3
4.5
4
29.1
1
22.3
5
2.4
28
27
33
34
MICROFILMED
1992



310 000 FEET

T14N R1W

SCALE 1:24 000

1 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 5 0 1 KILOMETRE

MICROFILMED
OCT 12 1992

,000-scale
, 1974

cks: Idaho coordinate
ator)
lercator grid ticks,
m

67-04149 LARRY BOEHM 256-4331

Anderson Creek

A0016727

Pump. H.P. PTO Pump.

Lift ~~15~~ ~~30~~ 30'

Pipeline to Res. then overflow into 2 SM Ponds

POD # 029 2305380
1482047

POU OK.

Purpose

IRR.

Stockwater From Storage - 50 Head.

Stockwater Storage.

~~IRR~~ From Storage.

AC 33

CFS 50 - ~~2500~~

A0016727

IDWR Field Exam Form

04/15/2005

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	JEANNE BOEHM	PO BOX 56	INDIAN VALLEY	ID	83632	(208)256-4331
Current Owner	LARRY L BOEHM	2203 BEN ROSS	INDIAN VALLEY	ID	83632	(208)256-4331

Date of Field Exam: 5-5-05 Time: 1030 AM.

Accompanied By: LARRY Phone Number: 208-256-4331

Relationship to Claimant: OWNER

Directions to Property (if different from above) and/or update owner information:

Reviewer: Roger L Mayer Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Priority Date Data Entry Form

Claim Number 67-4149

Claimed Priority Date: 6/1/1928 Claimed Basis: Statutory Claim

✓ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Water Right Priority Date: 6/1/1928 Water Right Basis: Statutory Claim

Recommended Priority Date ___ ___ _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer: _____ Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Point of Diversion and Source Data Entry Form

Claim Number 67-4149

Claimed Point of Diversion and Source

T14N R01W S27 NWSW Rediversion Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

T14N R01W S27 SESWSW Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

T14N R01W S28 SENE Rediversion Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

T14N R01W S28 NESE Rediversion Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

↙ **Use Claimed POD and Source as Recommended POD and Source**

Water Right Point of Diversion and Source

T14N R01W S27 NWSW Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source	Tributary To
Anderson creek	to C. Ben Ross Reservoir

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
#029 #1	Pto				Pump. See Map. POD		#A0016727

23053 80
1482047

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____ Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Place Of Use Data Entry Form

Claim Number 67-4149

Claimed Place Of Use

T14N R01W S28	NENE		T14N R01W S28	SENE	
T14N R01W S28	NENE	15.0	T14N R01W S28	SENE	18.0
T14N R01W S27	SWNW		T14N R01W S27	NWSW	
T14N R01W S28	SENE				
T14N R01W S27	SWNW		T14N R01W S27	NWSW	
T14N R01W S28	SENE				

Total Acres 33

__ **Use Claimed POU as Recommended POU**

Water Right Place Of Use

T14N R01W S28	NENE	40.0

Total Acres 40

Recommended Place of Use _____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
		See Map						

Total Acres _____

Document how the POU was verified:

_____

_____

5-5-05

Purpose of Use Data Entry Form

Claim Number 67-4149

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION FROM STORAGE IRRIGATION STORAGE STOCKWATER STORAGE STOCKWATER FROM STORAGE			

✓ **Use Claimed Purpose of Use as Recommended Purpose of Use**

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION FROM STORAGE IRRIGATION STORAGE STOCKWATER STORAGE STOCKWATER FROM STORAGE			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
IRR	0	50 BeeF		

Document how the Purpose of Use was verified:

Reviewer: _____ Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Period of Use and Quantity Data Entry Form

Claim Number 67-4149

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION STORAGE	1/01	12/31		50
IRRIGATION FROM STORAGE	1/01	12/31		50
STOCKWATER STORAGE	1/01	12/31		50
STOCKWATER FROM STORAGE	1/01	12/31		50

Overall Diversion Rate Overall Diversion Volume 50

✓ **Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION STORAGE	1/01	12/31		50
IRRIGATION FROM STORAGE	1/01	12/31		50
STOCKWATER STORAGE	1/01	12/31		50
STOCKWATER FROM STORAGE	1/01	12/31		50

Overall Diversion Rate Overall Diversion Volume 50

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
See attachment.				

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____ Date: 5-5-05

Water Master

INDIAN VALLEY
WATER DISTRICT
67A

Roger Meyer
3035 Cemetery Rd.
Cambridge, Idaho 83610
Phone (208) 257-3418
Cell (208) 741-0859
E-mail rjmeyer@ctcweb.net

May 6, 2005

Larry Boehm Pumps water out of Anderson Creek until C. Ben Ross Reservoir covers his POD. When C. Ben Ross Reservoir is 2 feet from the top of the dam his POD is under 10 feet of Water. His water right is for Anderson Creek only. Mr Boehm has a very special system. Using his tractor with a PTO pump he pumps run off water out of Anderson Creek up the bank under the road to the top on the knoll that is above his large pond. From there it is Gravity feed into his pond. He keeps the pond full until we fill the reservoir. He then Irrigates the 33 acres below the pond. The run off water is caught in a ditch and is run in to the lower pond that is smaller. He then takes his tractor with his PTO pump and Pumps the water back up to the upper pond to reuse again until his pond runs dry. Anderson Creek will run dry by the 1st of July or sooner but he will have wate[illegible] way into August.

re use H_2O recycle to pond

Roger Meyer

W/R# 67-4149

Idaho Department of Water Resources

#A0016727

Adjudication Claim Number: **67-4149**



N



Legend

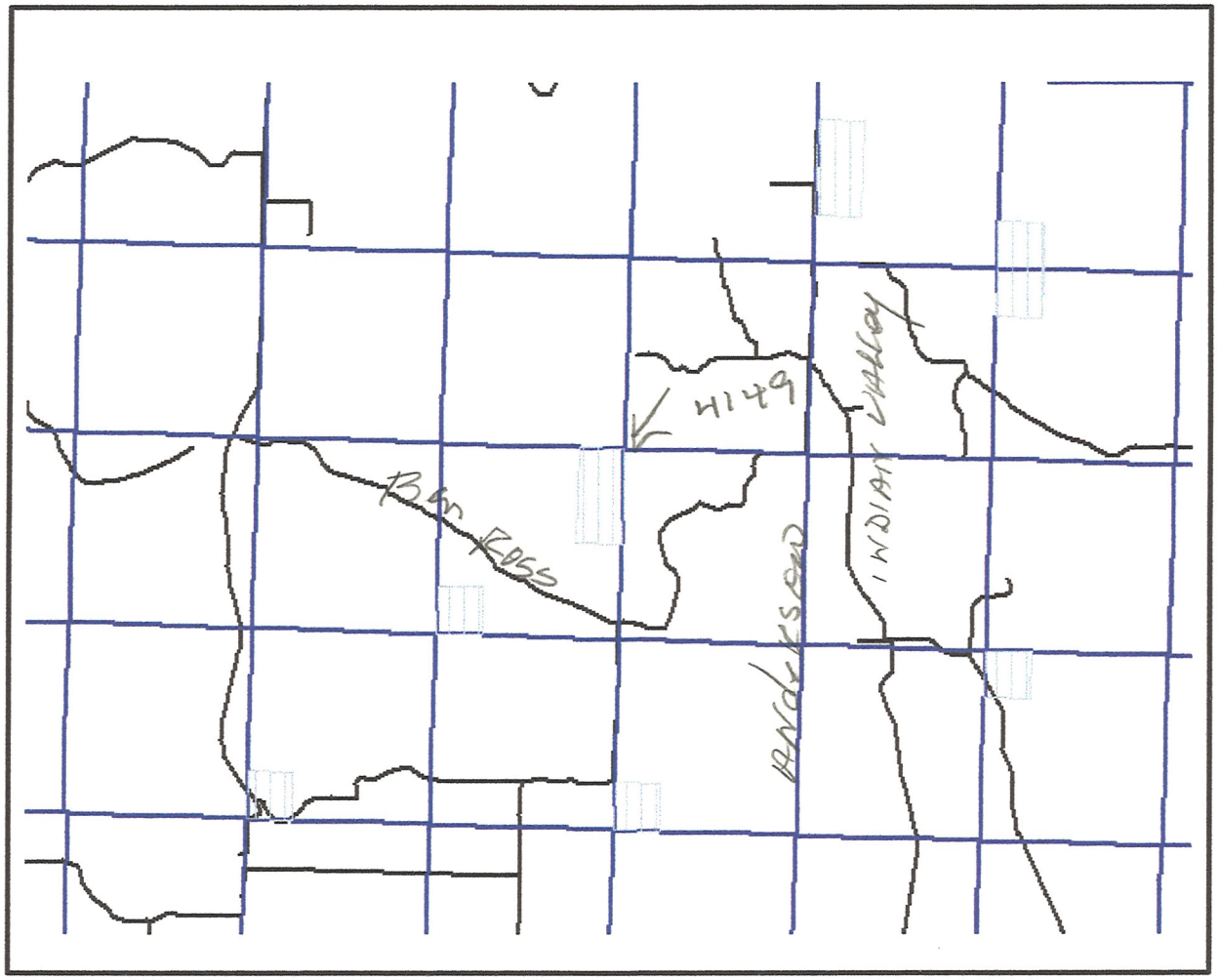
Section Lines
GCDB14N01W GCDB

0 0.4 0.8 Miles

Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery

ESRI ArcExplorer 2.0

Boehm



Primary POUs
PLSS Sections
Roads
Basin Outlines

N

Monday, May 2 2005

RECEIVED
AUG 2 3 2004
DEPARTMENT OF
WATER RESOURCES

Dear Sir.

Thanks For send infomation on the Basins 67 & 69 maps and the meetings in our area.

I lived in Indian Valley since 1946 and had my address changed 4 times do would you change my address to 2203 Ben Ross instead of Box 56. Larry Boehm

Thanks.

67-4149

67-10134
67-10133
10135
11320
11321
} P.D.

Latty Boehm
2203 Ben Ross
INdian Valley Id. 83632

CC: W.A.

Records modified
8-24-04
.A

SCANNED
AUG 2 4 2004





When Ben Ross Reservoir fills up, it covers this POD & back-fills all the way up into Anderson Creek

67-4149 Boehm
10/25/2006 SH

- annually rent 30 Hp Poosch pump w/ 6" discharge, 40psi for 6 days



earthen dam to help collect water from Anderson Creek

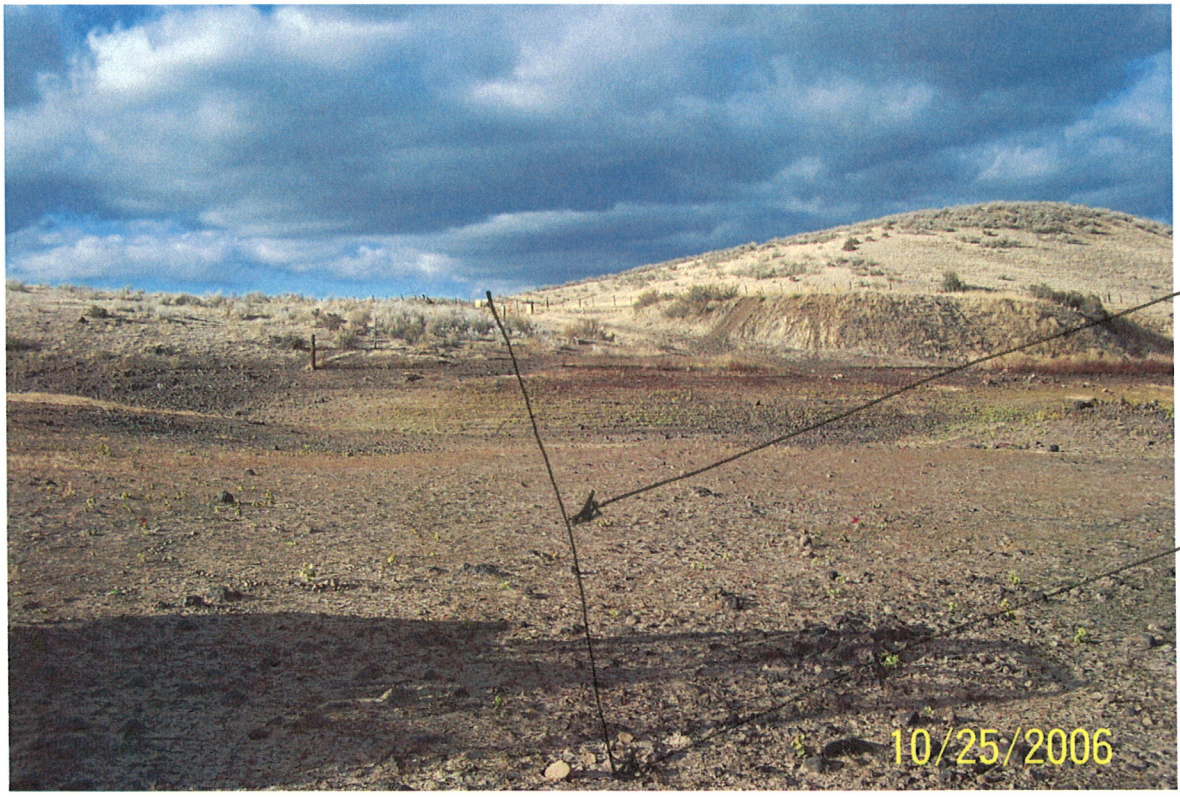
Ben Ross Reservoir (when dry)

POD where pump is set

when filling it backs up into Anderson Creek & covers the POD

pumps are rented for each year for 60 days to fill the ponds

67-4149 Boehm
10/25/2006 SH



pumped ~1/4 mile up from POD then gravity flow

POD



8"x 48" ditch

from POD to these dirt ditches then gravity flow to pond #1, overflow to pond #2, then irrigate or overflow to pond #3

67-4149 Boehm
10/25/2006 SH



pond #1

10' average depth

stockwater pond



pond #1

67-4149 Boehm
10/25/2006 SH



head gate, control valve on north side of pond #1 w/ 4" line to pond #2



Pond #2

dike separating sides (property line)

Pond #2

(split, since property sold to Schwenkfelder the north side of pond)

67-4149 Boehm
10/25/2006 SH



dike seperating north + south side of pond #2

(Schwenkfelder was given an easement on the dike)



POU irrigation.

67-4149 Boehm
10/25/2006 SH



Pond #3

catches all overflow & run-off from irrigation

Stockwater pond

67-4149 Boehm
10/25/2006 SH

Sandy —

10-18-06
MB

Needs several measurements:

1) Ditch off Anderson Creek POD
A 0016727

2) PTO flow estimate

3) Each pond

All else is good.

67-4149

EOP

claimed 6-1-1928

overlap decreed? 14N1W 27 - no overlaps
14N1W 28 - no overlaps

Source: Anderson Creek was not party to Muir v. Allison

Affidavit from Delbert Ogle

57 yo, lived in area whole life

could remember 52 yrs., probably

affidavit not notarized, but Delbert Ogle gave notarized affidavit for other files

2005
- 52
1953 ← recommend 1st day of irrigation season

POD

A0016727 - rec

#029 on GPS

Z305350

1482041

there is an un-GPSed seep in NWNE used for stockwater

Claimed Rediversions

Sec 27 NWSW - Red.
SESWSW - Div.

Sec 28 SENE - Red.
NESE - Red.

Rec rediversions as claimed, POD as GPSed

Source

FE confirms source

POU

State of Idaho
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

RECEIVED
SEP 16 2005
Department of Water Resources

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

August 30, 2005

67-4149, 67-10134
Larry & Jeanne Boehm
PO BOX 56
INDIAN VALLEY, ID 83632

RESPONSE DEADLINE SEPTEMBER 16, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number(s) shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. A map of the general area stated in your claim is also enclosed. If you irrigate, please outline the location of lands irrigated based on your claim, as well as the location of any points of diversion, if possible. If you have a claim other than irrigation, please outline the location of your place of use (i.e. house) and note the location of wells or other points of diversion. Please submit the completed map along with your evidence of priority. This will assist me in making a more accurate recommendation of your claim(s).

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. You can contact the Basin 67 team via e-mail at B67questions@IDWR.idaho.gov. If you wish to call, our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

SCANNED
SEP 19 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4149

WATER RIGHT NUMBER: 67-4149

Owner Type	Name and Address
Current Owner	JEANNE BOEHM PO BOX 56 INDIAN VALLEY, ID 83632 (208)256-4331
Current Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 06/01/1928

Basis: Statutory Claim

Status: Active

Source	Tributary
ANDERSON CREEK	LITTLE WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION FROM STORAGE	1/01 to 12/31		50.00 AF
IRRIGATION STORAGE	1/01 to 12/31		50.00 AF
STOCKWATER STORAGE	1/01 to 12/31		50.00 AF
STOCKWATER FROM STORAGE	1/01 to 12/31		50.00 AF
	Total Diversion:		50.00 AF

Location of Point(s) of Diversion

ANDERSON CREEK ADAMS County	SE1/4NE1/4 (Rediversion)	Sec. 28,	Twp 14N,	Rge 01W, B.M.
ANDERSON CREEK ADAMS County	NW1/4SW1/4 (Rediversion)	Sec. 27,	Twp 14N,	Rge 01W, B.M.
ANDERSON CREEK ADAMS County	NE1/4SE1/4 (Rediversion)	Sec. 28,	Twp 14N,	Rge 01W, B.M.
ANDERSON CREEK ADAMS County	SE1/4SW1/4SW1/4	Sec. 27,	Twp 14N,	Rge 01W, B.M.

Place of Use

IRRIGATION FROM STORAGE Within ADAMS County

T14N R01W S28	NENE		T14N R01W S28	SENE	

Total Acres: 33

IRRIGATION STORAGE Within ADAMS County

T14N R01W S28	NENE	15.0	T14N R01W S28	SENE	18.0

Total Acres: 33

STOCKWATER STORAGE Within ADAMS County

SCANNED

SEP 19 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4149

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

STOCKWATER FROM STORAGE Within ADAMS County

T14N R01W S27	SWNW	T14N R01W S27	NWSW
T14N R01W S28	SENE		

Conditions of Approval:

1. THIS RESERVOIR HAS 2 SMALL PONDS THAT TAKE OVERFLOW. WATER IS GRAVITY FLOWS TO EACH AND THEN IS PUMPED OUT OF UPPER POND ON TO THE ACRES IRRIGATED.

Remarks:

Water Supply Bank:

SCANNED

SEP 19 2005

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S)) AFFIDAVIT
67-4149)
)
)
State of Idaho)
County of Adams)

Larry L. Boehm being first duly sworn, deposes and says: I have been using said water Primarily For stock Water and if I have a good water year I irrigate (one time) what hay I can with what water I have been able to store. Anderson Ck. is always dry by the middle of may or 1st. of June. As of now I own the said Property but in the next Few weeks Im Selling the Ground in Sec. 28 to Robert Schwenkfelder and we will continue to use the water if it is any there. This year the Water ran about 5days. We had to get by with what I had left over.

P.S. Your Map is to Far North to Show where the Main Pumping Station is.

(Well Let you know when Schwenkfelder takes over)

Larry L Boehm
(Signature)

COLLEEN M. SKILLINGS NOTARY PUBLIC STATE OF IDAHO SEAL

Subscribed and sworn to before me this day 14th of September, 19 2005.

Colleen M. Skillings
(Notary Public)

Residing at Indian Valley

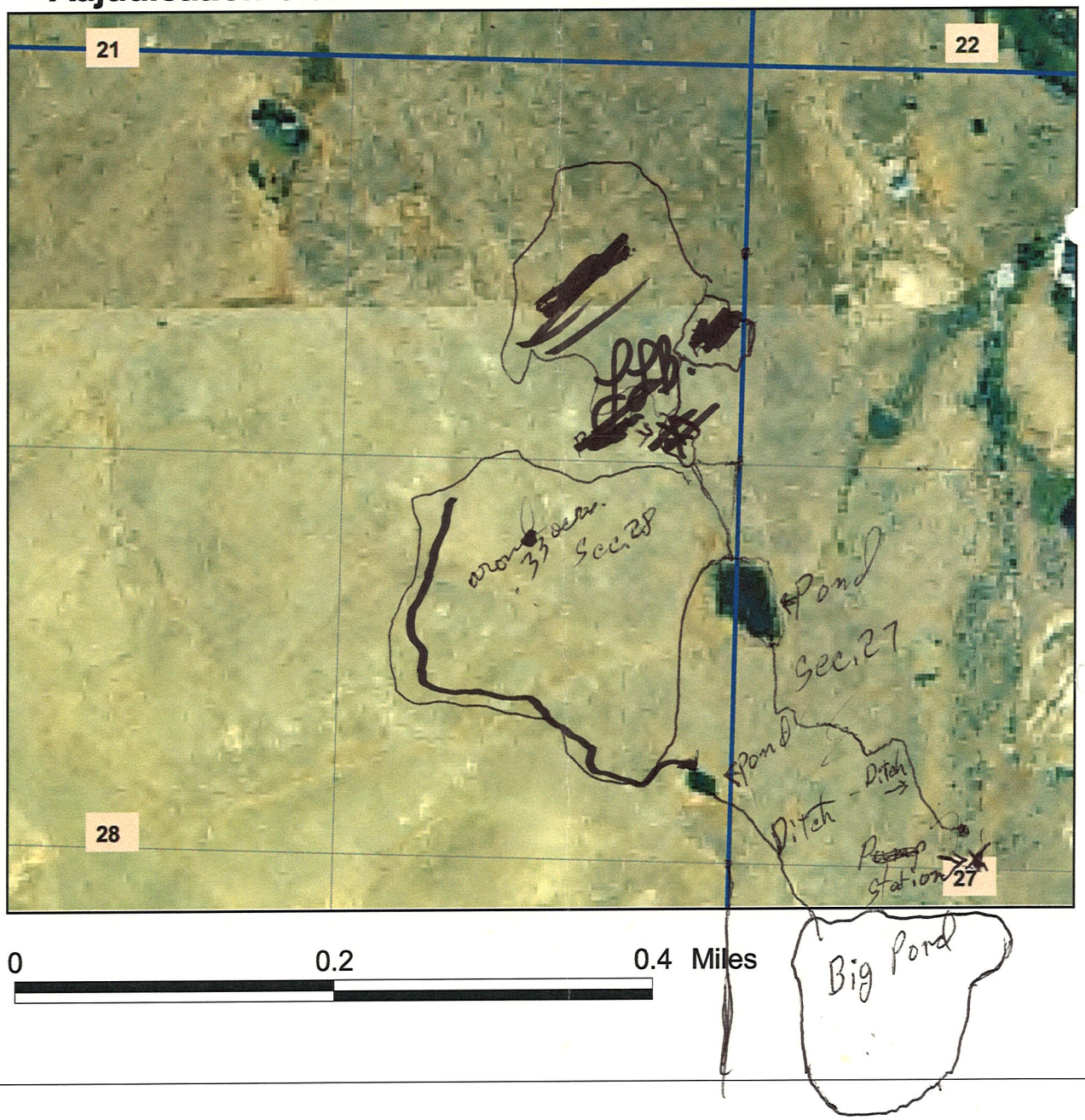
My Commission Expires 7/1/2010

SCANNED SEP 19 2005

Idaho Department of Water Resources

Adjudication Claim Number: **67-4149**

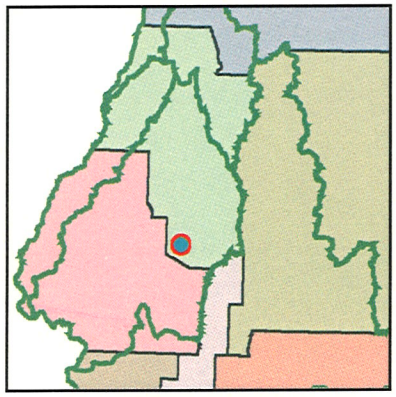
T14N R01W



0 0.2 0.4 Miles

Legend

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67

N

Prepared by D. Narsavage
On Wednesday, August 31, 2005
1987 Aerial Photography

SCANNED
SEP 1 9 2005

Delbert Ogle
Box 75
Indian Valley, Idaho 83632
Sept. 7, 2005

Dear Craig L. Saxton

I witnessed Larry Boehm beneficial use of water from Anderson creek which is a Tributary to the Little Weiser River. I have lived in Indian Valley 57 years all my life and have ranch down stream from the Boehm Ranch. Roy Boehm his father used the water before Larry for many years also on the same ranch.

Delbert Ogle
Owner Ogle Ranch

Delbert Ogle

SCANNED
SEP 19 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10134

WATER RIGHT NUMBER: 67-10134

Owner Type	Name and Address
Current Owner	VIVIAN J BOEHM PO BOX 56 INDIAN VALLEY, ID 83632 (208)256-4331
Current Owner	LARRY L BOEHM 2203 BEN ROSS INDIAN VALLEY, ID 83632 (208)256-4331

Priority Date: 12/15/1910

Basis: Beneficial Use

Status: Active

Source	Tributary
KING HILL CREEK	LITTLE WEISER RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	4/15 to 10/15	0.020 CFS	
IRRIGATION	4/15 to 10/15	0.060 CFS	
DOMESTIC	4/15 to 10/15	0.020 CFS	
	Total Diversion:	0.100 CFS	

Location of Point(s) of Diversion

KING HILL CREEK NW1/4NE1/4SE1/4 Sec. 13, Twp 14N, Rge 01E, B.M.
ADAMS County

Place of Use

STOCKWATER Within ADAMS County

T14N R01E S23 NENE

IRRIGATION Within ADAMS County

T14N R01E S23 NENE 2.0

Total Acres: 2

DOMESTIC Within ADAMS County

T14N R01E S23 NENE

Conditions of Approval:

Remarks:

SCANNED

SEP 19 2005

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S)) AFFIDAVIT
67-10134)
)
)
State of Idaho)
County of Adams)

Larry L. Bochm being first duly sworn, deposes and says: I have been using said Water as stated on the Water Resources Paper that you have Sent me. the Document Page no. 373 and as your records should show a 1903 Priority right. I'm not happy with your So Called Picture but will mark as close as I can where I irrigate said two Acres of ground. Thank You Very Much

P.S. the so called Picture should be of Sec. ~~23~~ 23 NOT Section 14

Larry L Bochm
(Signature)

COLLEEN M. SKILLINGS NOTARY PUBLIC STATE OF IDAHO SEAL

Subscribed and sworn to before me this day 14th of September, ~~19~~ 2005.

Colleen M Skillings
(Notary Public)

Residing at Indian Valley.

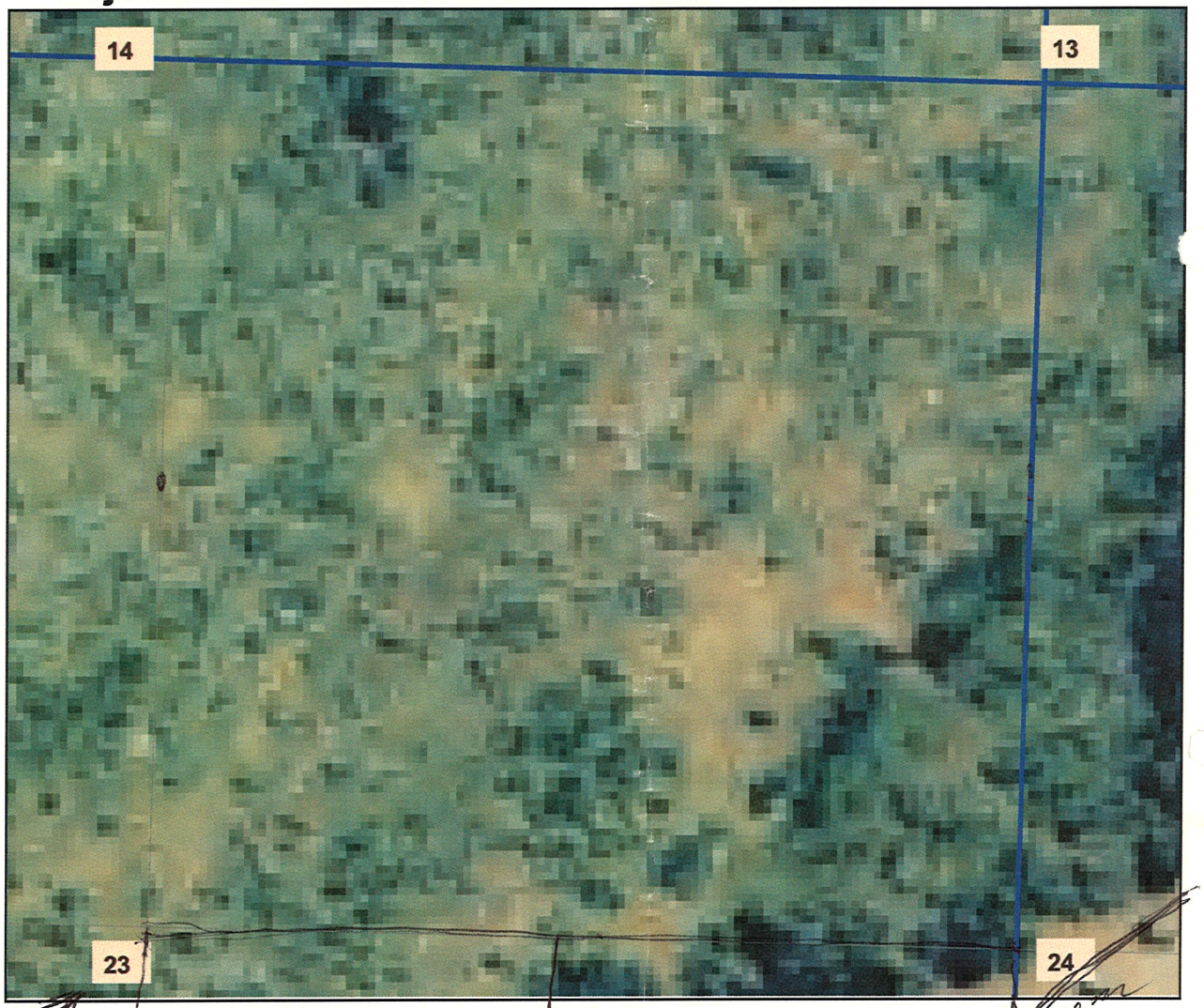
My Commission Expires 7/1/2010.

SCANNED SEP 19 2005

Idaho Department of Water Resources

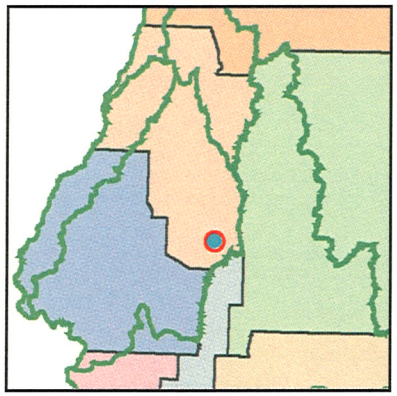
Adjudication Claim Number: **67-10134**

T14N R01E



Legend

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67

N

0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Thursday, September 1, 2005
1987 Aerial Photography

SCANNED
SEP 19 2005



#A0016727POD.JPG

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: A67-04149
Date Received: 12/13/1989
Receipt No: W007112
Received By: RDL

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: LARRY BOEHM 208-256-4331
   Address: P.O. BOX 56
   INDIAN VALLEY, ID 83632
   OR
   Name: JEANNE BOEHM deceased 208-256-4331
   Address: P.O. BOX 56
   INDIAN VALLEY, ID 83632

2. Date of Priority: JUN 01, 1928

3. Source: ANDERSON CREEK Trib. to: LITTLE WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	01W	27		NW	SW	R	ADAMS
			SE	SW	SW		ADAMS
		28		SE	NE	R	ADAMS
				NE	SE	R	ADAMS

5. Description of diverting works:
   PUMP,PIPELINE APPROX 1/4 M.TO RES.THEN OVERFLOW INTO 2 SM. PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			50.00
STOCKWATER FROM STORAGE	01/01	12/31			50.00
STOCKWATER STORAGE	01/01	12/31			50.00
IRRIGATION FROM STORAGE	01/01	12/31			50.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 50.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

MICROFILMED
OCT 02 1992
SCANNED
APR 08 2004

9. Non-irrigation uses:
UP TO 45HD BEEF AND UP TO 6 HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14N	01W	27	SW	NW		STOC S	
			SW	NW		STO FS	
			NW	SW		STOC S	
			NW	SW		STO FS	
		28	NE	NE		IRR S	15.0
			NE	NE		IRR FS	
			SE	NE		IRR S	18.0
			SE	NE		STOC S	
			SE	NE		IRR FS	
			SE	NE		STO FS	
						Section Acres	33.0
						Total Acres	33.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-11320,A67-11321

14. Remarks:
THIS RESERVOIR HAS 2 SMALL PONDS THAT TAKE OVERFLOW.
WATER IS GRAVITY FLOWS TO EACH AND THEN IS PUMPED OUT
OF UPPER POND ON TO THE ACRES IRRIGATED.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
OCT 02 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 X 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): x Larry Boehm Date: Dec. 13 89

_____ Date: _____

State of Idaho)
) SS.
County of ADA)

Subscribed and sworn (or affirmed) before me this 13th day of Dec 19 89

Ron Howerton
Notary Public

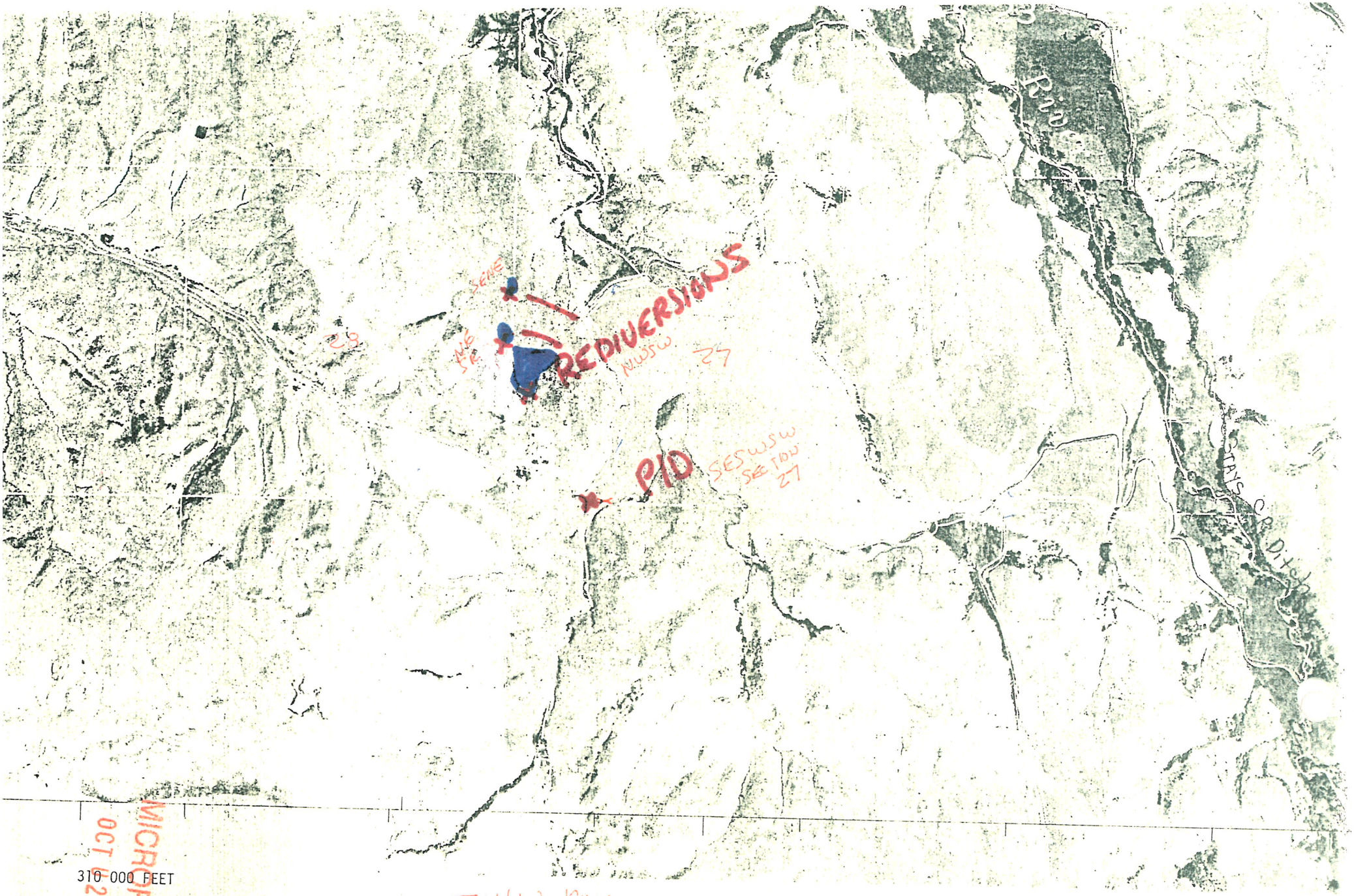
Seal

Residing at Ron Howerton
Residing at Boise, Idaho

My Commission Expires My Commission Expires December 8, 1994

MICROFILMED
OCT 02 1992


1988
F#78
T-235
L. NIDA
F#77
T-210
L. BOEHM
21
28
27
NENE
15
CRP this year only
9
52.5
10
26.7
Alfalfa & grass
18
1
49.2
CRP
4
8.3
CRP
SENE
6A
New Seeding
CRP
3
7.1
Alfalfa & Grass
Stock well
2
16.4
CRP
5
36.8
CRP
CRP
6
16.3
PB
7
POND
CRP
8
5.6
5th
Blo
Plot
2A
3
4.5
4
29.1
1
22.3
5
2.4
28
27
33
34
MICROFILMED
1992



310 000 FEET

T14N R1W

SCALE 1:24 000

1 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 5 0 1 KILOMETRE

MICROFILMED
OCT 12 1992

,000-scale
, 1974

cks: Idaho coordinate
ator)
lercator grid ticks,
m

67-04149 LARRY BOEHM 256-4331

Anderson Creek

A0016727

Pump. H.P. PTO Pump.

Lift ~~15~~ ~~30~~ 30'

Pipeline to Res. then overflow into 2 SM Ponds

POD # 029 2305380
1482047

POU OK.

Purpose

IRR.

Stockwater From Storage - 50 Head.

Stockwater Storage.

~~IRR~~ From Storage.

AC 33

CFS 50 - ~~2500~~

A0016727

IDWR Field Exam Form

04/15/2005

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	JEANNE BOEHM	PO BOX 56	INDIAN VALLEY	ID	83632	(208)256-4331
Current Owner	LARRY L BOEHM	2203 BEN ROSS	INDIAN VALLEY	ID	83632	(208)256-4331

Date of Field Exam: 5-5-05 Time: 1030 AM.

Accompanied By: LARRY Phone Number: 208-256-4331

Relationship to Claimant: OWNER

Directions to Property (if different from above) and/or update owner information:

Reviewer: Roger L Mayer Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Priority Date Data Entry Form

Claim Number 67-4149

Claimed Priority Date: 6/1/1928 Claimed Basis: Statutory Claim

✓ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Water Right Priority Date: 6/1/1928 Water Right Basis: Statutory Claim

Recommended Priority Date ___ ___ _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer: _____ Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Point of Diversion and Source Data Entry Form

Claim Number 67-4149

Claimed Point of Diversion and Source

T14N R01W S27 NWSW Rediversion Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

T14N R01W S27 SESWSW Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

T14N R01W S28 SENE Rediversion Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

T14N R01W S28 NESE Rediversion Within ADAMS County Source: ANDERSON CREEK LITTLE WEISER RIVER

↙ **Use Claimed POD and Source as Recommended POD and Source**

Water Right Point of Diversion and Source

T14N R01W S27 NWSW Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source	Tributary To
Anderson creek	to C. Ben Ross Reservoir

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
#029 #1	Pto				Pump. See Map. POD		#A0016727

23053 80
1482047

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____ Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Place Of Use Data Entry Form

Claim Number 67-4149

Claimed Place Of Use

T14N R01W S28	NENE		T14N R01W S28	SENE	
T14N R01W S28	NENE	15.0	T14N R01W S28	SENE	18.0
T14N R01W S27	SWNW		T14N R01W S27	NWSW	
T14N R01W S28	SENE				
T14N R01W S27	SWNW		T14N R01W S27	NWSW	
T14N R01W S28	SENE				

Total Acres 33

__ **Use Claimed POU as Recommended POU**

Water Right Place Of Use

T14N R01W S28	NENE	40.0

Total Acres 40

Recommended Place of Use _____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
		See Map						

Total Acres _____

Document how the POU was verified:

_____

_____

5-5-05

Purpose of Use Data Entry Form

Claim Number 67-4149

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION FROM STORAGE IRRIGATION STORAGE STOCKWATER STORAGE STOCKWATER FROM STORAGE			

✓ **Use Claimed Purpose of Use as Recommended Purpose of Use**

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION FROM STORAGE IRRIGATION STORAGE STOCKWATER STORAGE STOCKWATER FROM STORAGE			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
IRR	0	50 BeeF		

Document how the Purpose of Use was verified:

Reviewer: _____ Date: 5-5-05

IDWR Field Exam Form 04/15/2005

Period of Use and Quantity Data Entry Form

Claim Number 67-4149

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION STORAGE	1/01	12/31		50
IRRIGATION FROM STORAGE	1/01	12/31		50
STOCKWATER STORAGE	1/01	12/31		50
STOCKWATER FROM STORAGE	1/01	12/31		50

Overall Diversion Rate Overall Diversion Volume 50

✓ **Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION STORAGE	1/01	12/31		50
IRRIGATION FROM STORAGE	1/01	12/31		50
STOCKWATER STORAGE	1/01	12/31		50
STOCKWATER FROM STORAGE	1/01	12/31		50

Overall Diversion Rate Overall Diversion Volume 50

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
See attachment.				

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____ Date: 5-5-05

Water Master

INDIAN VALLEY
WATER DISTRICT
67A

Roger Meyer
3035 Cemetery Rd.
Cambridge, Idaho 83610
Phone (208) 257-3418
Cell (208) 741-0859
E-mail rjmeyer@ctcweb.net

May 6, 2005

Larry Boehm Pumps water out of Anderson Creek until C. Ben Ross Reservoir covers his POD. When C. Ben Ross Reservoir is 2 feet from the top of the dam his POD is under 10 feet of Water. His water right is for Anderson Creek only. Mr Boehm has a very special system. Using his tractor with a PTO pump he pumps run off water out of Anderson Creek up the bank under the road to the top on the knoll that is above his large pond. From there it is Gravity feed into his pond. He keeps the pond full until we fill the reservoir. He then Irrigates the 33 acres below the pond. The run off water is caught in a ditch and is run in to the lower pond that is smaller. He then takes his tractor with his PTO pump and Pumps the water back up to the upper pond to reuse again until his pond runs dry. Anderson Creek will run dry by the 1st of July or sooner but he will have wate[illegible] way into August.

re use H_2O recycle to pond

Roger Meyer

W/R# 67-4149

Idaho Department of Water Resources

#A0016727

Adjudication Claim Number: **67-4149**



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Legend

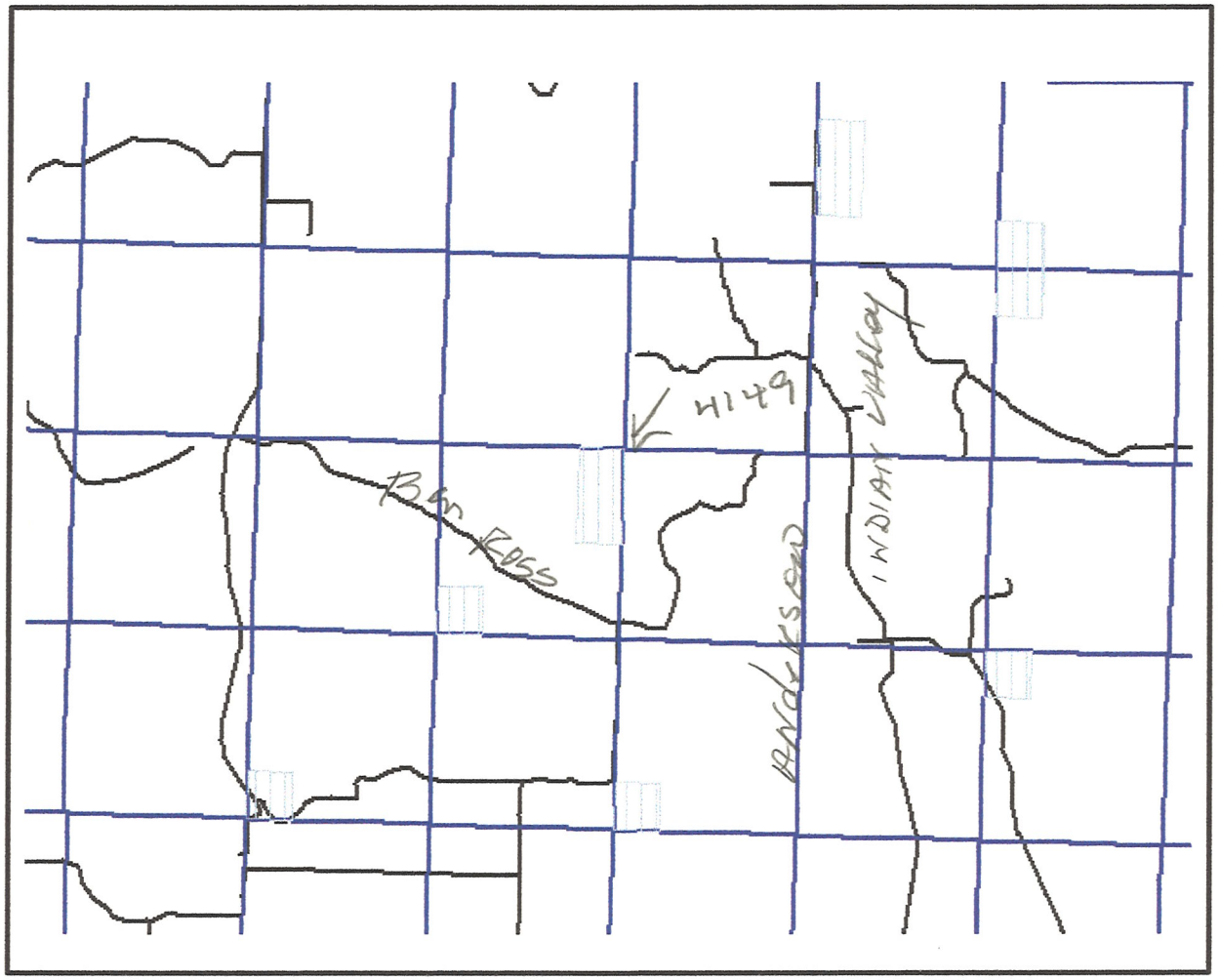
Section Lines
GCDB14N01W GCDB

0 0.4 0.8 Miles

Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery

ESRI ArcExplorer 2.0

Boehm



Primary POUs
PLSS Sections
Roads
Basin Outlines

N

Monday, May 2 2005

RECEIVED
AUG 2 3 2004
DEPARTMENT OF
WATER RESOURCES

Dear Sir.

Thanks For send infomation on the Basins 67 & 69 maps and the meetings in our area.

I lived in Indian Valley since 1946 and had my address changed 4 times do would you change my address to 2203 Ben Ross instead of Box 56. Larry Boehm

Thanks.

67-4149

67-10134
67-10133
10135
11320
11321
} P.D.

Latty Boehm
2203 Ben Ross
INdian Valley Id. 83632

CC: W.A.

Records modified
8-24-04
.A

SCANNED
AUG 2 4 2004