

Saxton, Craig

From: Luanne Boaz [luanneb@greatnorthwest.com]
Sent: Tuesday, November 04, 2008 5:55 AM
To: Saxton, Craig
Subject: RE: Change of Ownership for 67-14144

Thank you for your prompt response to my inquiry, correspondence on my behalf, and the heads-up re: future activity on the claim(s).

Your knowledge and patience is greatly appreciated.

Sincerely

Luanne Boaz

From: Saxton, Craig [mailto:Craig.Saxton@idwr.idaho.gov]
Sent: Monday, November 03, 2008 2:19 PM
To: luanneb@greatnorthwest.com
Subject: Change of Ownership for 67-14144

Hey Luanne,

Because 67-14144 has been partially decreed, the removal of Billy Boaz has to be processed by the Allocations Bureau, rather than the Adjudication Bureau. That said, I went over the documentation that I have and I am confident that we can get Bill's name removed without further paperwork.

There are two small issues that I think we can bi-pass, but I want to bring to your attention in case they resurface.

- 1) Now that 67-14144 is partially decreed, there generally is a \$25 fee to change ownership (remove Bill's name).
- 2) You never signed the original form that you submitted (attached). Generally, we require a signature.

I spoke with Emalee Rushing of the Allocations Bureau. I explained to her that there should be no fee to change ownership and that despite that you seemed to have missed signing the original request, it should be processed without a signature. For your information, I have attached a copy of the memo I gave to Emalee and included in the file.

In short, I don't see anything that should stop the process of removing Billy's name. However, I wanted to let you know what was going on so if there was a problem for some reason, you would be informed.

Let me know if you have questions.

Thanks,

Craig

Saxton, Craig

From: Saxton, Craig
Sent: Monday, November 03, 2008 2:19 PM
To: 'luanneb@greatnorthwest.com'
Subject: Change of Ownership for 67-14144
Attachments: 2-21-07 C-O request.pdf; 67-14144 Memo.PDF

Hey Luanne,

Because 67-14144 has been partially decreed, the removal of Billy Boaz has to be processed by the Allocations Bureau, rather than the Adjudication Bureau. That said, I went over the documentation that I have and I am confident that we can get Bill's name removed without further paperwork.

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In short, I don't see anything that should stop the process of removing Billy's name. However, I wanted to let you know what was going on so if there was a problem for some reason, you would be informed.

Let me know if you have questions.

Thanks,

Craig

Memorandum

Date: 11-3-08

To: Emalee Rushing

From: Craig L. Saxton



Re: Change of Ownership for Partially Decreed Water Right 67-14144

On February 21, 2007, we received a change of ownership request for 67-2269E to remove Billy Joe Boaz as a current owner on the water right. Adjudication processed that request, but for some reason, when checking for other water rights, missed that 67-14144 was applicable the property too.

I received a call from the claimant of 67-14144, Luanne B Boaz on 11-3-08. She just received her partial decree for 67-14144 and, among other things, wanted to know why Billy Joe Boaz was still listed as current owner. I explained that we must have missed it.

- 1) Now that 67-14144 is partially decreed, there should be a \$25 filing fee, but since the change of ownership request was submitted prior to the water right being partially decreed, the filing fee can be waived.
- 2) I know that the change of ownership form itself isn't signed. But since we do have Luanne's signature on the quitclaim deed, Adjudication was able to process the change on 67-2269E.
 - a. If you feel that a signature on the form itself is necessary, I can e-mail Luanne and get a new form, but with a new form, I feared it would be confused with a new request and we would accidently charge a \$25 processing fee. Let me know if this is an issue.

11/02/2006

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

RIGHT NUMBER: 67-14144
NAME AND ADDRESS: BILL BOAZ
522 HWY 95
WEISER ID 83672

LUANNE BOAZ
522 HWY 95
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 10/15/1995

POINT OF DIVERSION:

T10N R05W S4 SENWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home and 1/2 acre irrigation.		

PLACE OF USE: DOMESTIC in WASHINGTON County

T10N R05W S04 NWSW

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 67-14144 is also diverted through point of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14144 V1

WATER RIGHT NUMBER: 67-14144 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BILL BOAZ 522 HWY 95 WEISER, ID 83672 (208)549-3798
Current Owner	LUANNE BOAZ 522 HWY 95 WEISER, ID 83672 (208)549-3798

Priority Date: 10/15/1995

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4SW1/4	Sec. 4, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	05W	4										X							

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. 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.
3. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
4. F05 Right No. 67-14144 is also diverted through point of diversion described above.
5. X01 Domestic use is for 1 home and 1/2 acre irrigation.

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-14144 V1

Remarks:Comments:

1. jdean 11/2/2006 Small Domestic

Comment: This claim is recommended based on the standards for small domestic rights.

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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			11/02/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/2/2006 2:46:03 PM	jdean	Updated shape
Summary	11/2/2006 2:51:15 PM	jdean	(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?
POD	11/2/2006 2:46:13 PM	jdean	Updated PLS
POU	11/2/2006 2:47:44 PM	jdean	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14144 V1

POU

11/2/2006 2:47:53 PM

jdean

Updated PLS for Active POU

Water Supply Bank:

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: A67-14144
Date Received: 8/7/1998
Receipt No: W024229
Received By: [Signature]

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

1. Name: BILL BOAZ 208-549-3798
Address: 522 HWY 95
WEISER ID 83672
OR
Name: LUANNE BOAZ 208-549-3798
Address: 522 HWY 95
WEISER ID 83672

2. Date of Priority: OCT 15, 1995

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	4	SE	NW	SW		WASHINGTON

5. Description of diverting works:
APPROX. 42-48' DEEP WITH PUMP AND PIPELINE TO HOME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOME WITH LAWN AND GARDEN IRRIGATION

SCANNED
APR 12 2004