

7/2012

IN-OFFICE BENEFICIAL USE EXAM REPORT

Permit No. 02-10226

Prepared by Kay Walker

10-26-12
Date 7-25-12

Same as permit

Different than permit

Owner Name



Owner Address



Source



Tributary



POD



POU



Beneficial Use(s)



2.1 ac x 0.03 = 0.063
~ 0.06 cf

Exam Fee Required for Permitted Rate \$ 50.00

Exam Fee Paid \$ 50.00

Overlaps

☐ Yes

☒ No

Technical Confirmation Tools

ArcMap (Bing)



Govt Agency Records

Photo



GPS



Taxlot



Photos



Well Log



Diagrams



Other



explain: irrigated area & pld located
by permit holder - see
aerial photo

Conditions/Comments

Copy of warranty deed finds all property
they outlined is theirs - county plat of
tax lot is in error.

Exam Date Entered ✓

Draft License Created ✓

Shapes Updated ✓



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

October 4, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

GUY & JUDY GIVENS
12030 WALKING PLOW LN
MELBA ID 83641

RE: Permit No. 02-10226

Dear Mr. and Mrs. Givens:

Thank you for your letter regarding the above referenced permit. Enclosed, for your review, are two maps. Map No. 1 is a map showing the area you marked as being irrigated. We found this to include a total of 2.1 acres of irrigation. Map No. 2 is the area the county tax records show under your ownership.

Pursuant to the county tax lot records, you may be irrigating property owned by the Edith Nettleton Trust. We cannot include property that is not owned by you on your water right license unless you have some agreement with the owner of that property. We need to know if the tax lots may in error or if you are intentionally irrigating your neighbor's property. If you want us to include all of the land you indicated you irrigate we need to know what type of agreement you have with the property owner. If the tax lots are in error, you should take that up with the county so they can correct their records.

If you have any questions or concerns regarding this matter, please feel free to contact me at 334-2190.

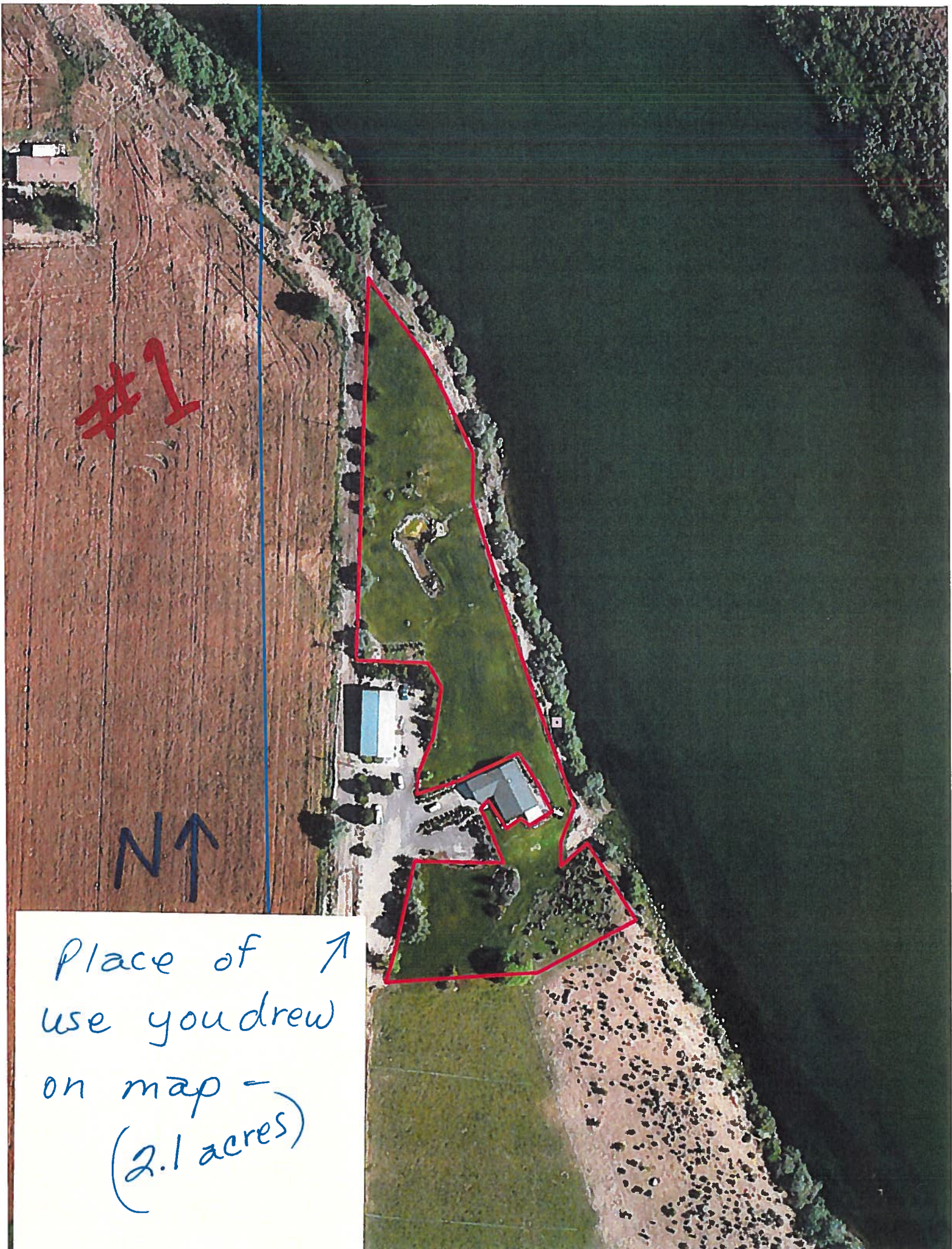
Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

10-25-12
Judy called -
will fax in warranty
deed so we can
see what they own.
warranty deed shows
they own - county
has not platting
right. KW

COPY



#1

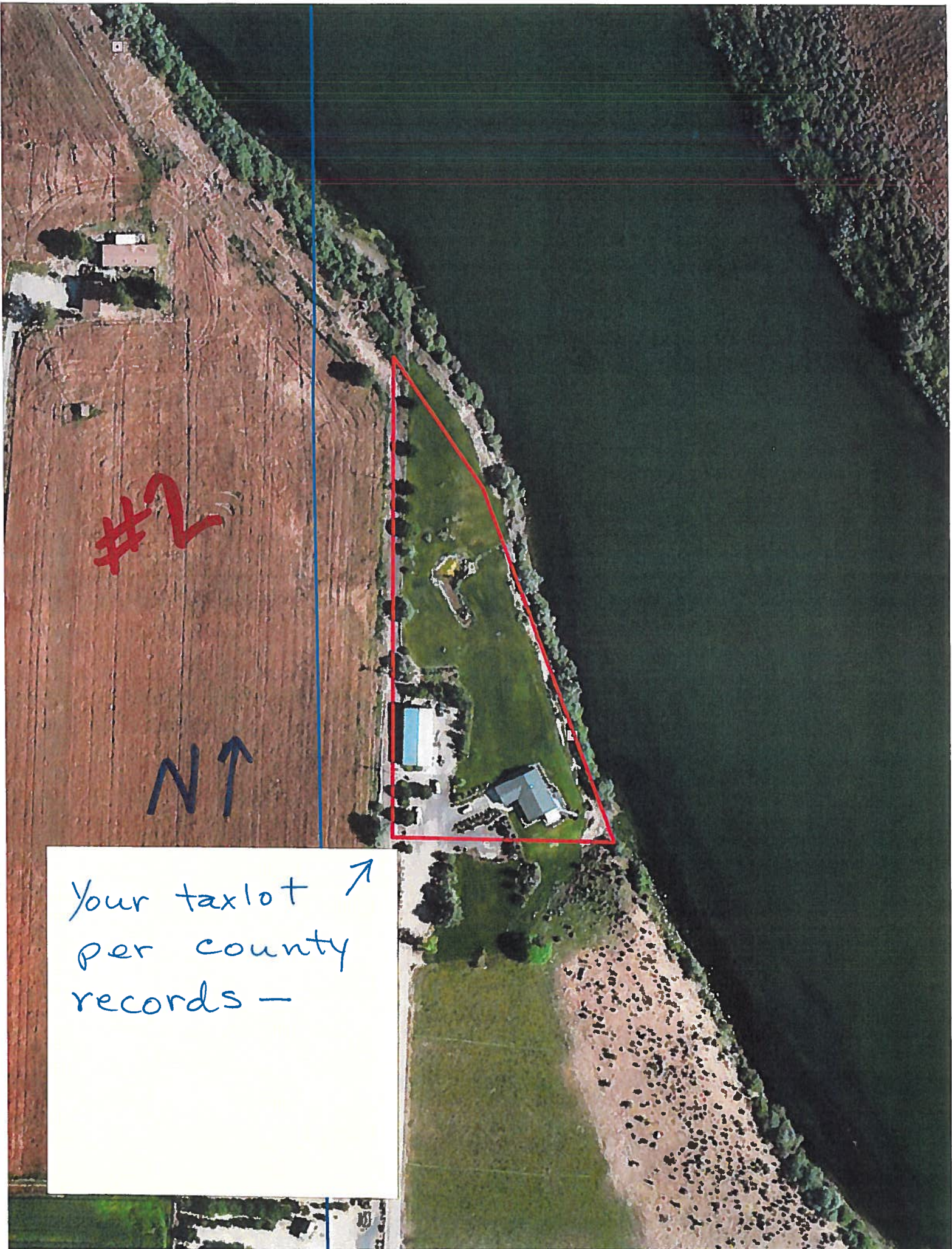
N

Place of ↑
use you drew
on map -
(2.1 acres)

#2

N ↑

Your taxlot ↗
per county
records -



9/29/2012

STATE OF IDAHO
IDWR
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082

RECEIVED
OCT 03 2012
WATER RESOURCES
WESTERN REGION

ATTN: KAY WALKER
SR. WATER RESOURCE AGENT

DEAR KAY:

GUESS WHAT I FOUND IN THE BOTTON OF GUY'S IN BASKET? THIS INQUERY OF OUR IRRIGATING LOCATION SO SORRY FOR THE LATENESS! THIS SUMMER HAS BEEN A SERIES OF UNEXPECTED EVENTS, BUT I'M SURE YOU HAVE HAD YOUR PROBLEMS AS WELL. GUY MARKED THE MAP AND TOLD ME TO GIVE YOU GUYS HIS 'APOLOGY!

WE ARE ENJOYING OUR HOME HERE ON THE RIVER BUT IT IS A LONG WAYS TO ALBERTSON'S HA. WHEN EVER YOU ARE OUT HERE IN OWYHEE COUNTY, PLEASE JUST GIVE ME A CALL 495-2148, TO MAKE SURE I AM HOME AND DO COME AND HAVE A COFFEE BREAK WITH ME!

I MISS ALL MY DEAR FRIENDS AT IDWR AND DO HEAR FROM ANITA WARNTJE ONCE IN AWHILE. MY E-MAIL IS jgivens2@juno.com .

SINCERELY,


JUDY & GUY GIVENS
12030 WALKING PLOW LN
MELBA ID 83641

Snake River

N ↑

1S-2W-S21



01713

COPY

WARRANTY DEED

FOR VALUE RECEIVED,
J. H. NETTLETON and EDITH NETTLETON, as equal tenants in
common without the right of survivorship

The Grantors, do hereby grant, bargain, sell and convey unto
GUY S. GIVENS and DARLENE J. GIVENS, husband and wife

the Grantees, whose current address is 37 North 500 East,
Jerome, Idaho 83338

the following described real property, located in Owyhee
County, Idaho, to-wit:

A parcel of land situate in Government Lot 5, Section
21, Township 1 South, Range 2 West, B. M., Owyhee County,
Idaho, more particularly described as follows:
Commencing at the Southwest corner of said Lot 5,
Section 21, T1S, R2W, B. M.; thence North 01°19'34" East,
along the West line of said Lot 5, a distance of 622.81 feet
to a point, being the REAL POINT OF BEGINNING; thence on a
line running Easterly and perpendicular to the said West
line, a distance of 334 feet, to a point on the Left Bank
Meander line of the Snake River; thence Northwesterly along
said Meander line to a point of intersection with the West
line of said Lot 5, Section 21, T1S, R2W, B. M.; thence
South 01°19'34" West, a distance of 827.87 feet to the
REAL POINT OF BEGINNING.

Together with a non-exclusive 20 foot wide easement for
ingress, egress, and road purposes; Beginning at the
Southwest corner of Lot 5, Section 21, T1S, R2W, B. M.; and
running North parallel along the West line of said Lot 5, a
distance of 622.81 feet to the terminus of said easement.

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining, including all water and ditch rights and
rights of way for water and ditches.

TO HAVE AND TO HOLD the said premises, with their
appurtenances unto said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee
simple of said premises; that said premises are free from
all encumbrances except: NONE

RECORDED
JUN 21 1977
BY 6.10

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

July 25, 2012

GUY & JUDY GIVENS
12030 WALKING PLOW LN
MELBA ID 83641

RE: Permit No. 02-10226

Dear Mr. and Mrs. Givens:

We are in the process of reviewing the above referenced permit so we can issue a license on the water use you have developed. We are in the process of trying to complete an "in-office" exam of your permit. We have found that we need information from you in order to proceed.

Enclosed you will find an aerial photograph of your property. Please mark on this photo the land you are irrigating and the location of your pump in the river. If you will provide this information we may be able to finalize the licensing process. We do find that the Owyhee County tax lot information shows that your property is only 2.2 acres so we will not be able to license your permit for the 3 acres shown on your permit, unless the tax lot information is in error. If you own more than 2.2 acres, please send me a copy of your deed so we can plot your property description.

If you have any questions or concerns regarding this process, please do not hesitate to contact me at 334-2190.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

Enclosure