

**Ben H. Boyd
3645 Hill Road
Boise, Idaho 83703**

RECEIVED

OCT 27 2004

**DEPARTMENT OF
WATER RESOURCES**

Phone: (208) 336-0060

e-mail: hillroad@yahoo.com

October 26, 2004

**Clerk of The District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707**

RE: Change in legal description for Case # 39576, Ident. # A63-17608

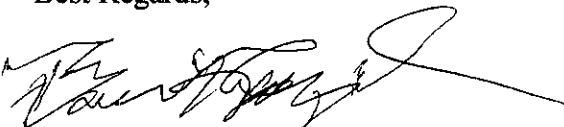
Dear Clerk;

Because of a clerical error on our part in submitting the original claim for the subject water right, the legal description submitted is incorrect.

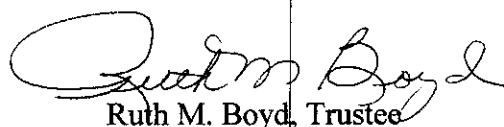
The legal description should be changed from **NESENE** to **NENE**.

Thank you.

Best Regards,



Ben H. Boyd, Trustee
Boyd Family Trust



Ruth M. Boyd, Trustee
Boyd Family Trust

Attachments: Partial Decree dated January 14, 2000
Copy of Warranty Deed
Maps Showing Property & Description (2)

cc: Dept. of Water Resources Adjudication Bureau
US Dept. of Justice Environmental & Natural Resources Div.

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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-17608

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: BEN H BOYD
RUTH M BOYD
3643 HILL RD
BOISE, ID 83703

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/30/1938

POINT OF DIVERSION: T04N R02E S31 NESENE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.06 CFS

PLACE OF USE: Domestic Within Ada County
T04N R02E S31 SENE

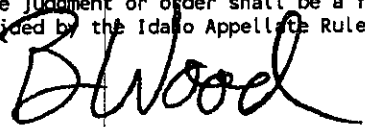
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

WARRANTY DEED

8937896

FOR VALUE RECEIVED

MAMIE E. JONES, an unmarried woman

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

M. BOYD, Husband and wife

BEN H. BOYD and RUTH

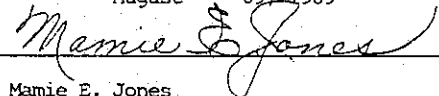
GRANTEE(S), whose current address is:

the following described real property in 7722 Long Avenue, BOISE, ID 83704 County, State of Idaho,
more particularly described as follows, to wit: AdaSEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION, WHICH BY THIS
REFERENCE IS INCORPORATED HEREIN.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, right of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated:

August 09, 1989


Mamie E. Jones

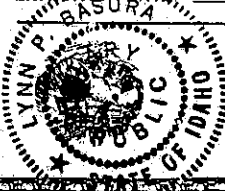
ACKNOWLEDGEMENT — Individual

STATE OF Idaho, County of Ada, ss.

On this 9th day of August, in
the year of 1989, before me Lynn P. Basura,
a notary public,
personally appeared Mamie E. Jones

known or
identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Notary Public: Lynn P. Basura
Residing at: Meridian, ID
EXPIRATION DATE: 5/30/93

STATE OF IDAHO, COUNTY OF Ada

I hereby certify that this instrument was filed for record at the request of

PIONEER TITLE CO.

at 50 minutes past 3 o'clock Pm.
this 10th day of August
1989 in my office, and duly recorded in Book 6
of Deeds at page

JOHN BASTIDA

Ex-Officio Recorder

By Anna Saltegreu Deputy
Fees \$ 600
Mail to:

PIONEER TITLE COMPANY

OF ADA COUNTY

821 West State Street / Boise, Idaho 83702 / (208) 336-6700
888 North Cole Road / Boise, Idaho 83704 / (208) 377-2700

STARTING AT THE SOUTHEAST CORNER OF LOT 33, BLOCK 2 OF AMES SUBDIVISION AS SHOWN BY THE PLAT THEREOF, FILED IN BOOK 5 OF PLATS AT PAGE 212, ON RECORD IN THE COUNTY RECORDER'S OFFICE OF ADA COUNTY, IDAHO, THE POINT OF BEGINNING THENCE NORTH 98 FEET TO A POINT, THENCE WEST 150 FEET TO A POINT; THENCE NORTH 207 FEET TO A POINT; THENCE WEST 112 FEET TO A POINT ON THE EAST LINE OF LOT 29; THENCE SOUTH ALONG THE EAST LINE OF LOT 29 A DISTANCE OF 305 FEET; THENCE EAST TO THE POINT OF BEGINNING.

ALSO ALL OF LOT 36 IN BLOCK 2 OF AMES SUBDIVISION IN ADA COUNTY, IDAHO.

EXCEPT THE WESTERLY 50 FEET OF THE EASTERLY 55 FEET CONVEYED TO ADA COUNTY HIGHWAY DISTRICT FOR PUBLIC RIGHT OF WAY BY DEED NO. 8114836 RECORDED APRIL 10, 1981.

ALSO EXCEPT THE EAST 5 FEET OF SAID LOT 36 IN BLOCK 2 OF AMES SUBDIVISION.

ALSO A PARCEL OF LAND, MORE COMMONLY KNOWN AS A PORTION OF ALAMOSA AVENUE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 4 NORTH, RANGE 2 EAST, OF THE BOISE-MERIDIAN, IN ADA COUNTY, IDAHO; AND BEING A PORTION OF AMES SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF, AS FILED IN BOOK 5 OF PLATS AT PAGE 212, RECORDS OF ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 33 OF SAID AMES SUBDIVISION; THENCE WESTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF ALAMOSA AVENUE, A DISTANCE OF 275.00 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF LOT 35 OF SAID AMES SUBDIVISION; THENCE SOUTH ALONG THE EASTERLY PROPERTY LINE OF LOT 29 OF SAID AMES SUBDIVISION TO THE SOUTHEASTERLY CORNER OF SAID LOT 29; THENCE SOUTHEASTERLY TO A POINT; SAID POINT BEING THE WESTERLY CORNER OF LOT 36 OF SAID AMES SUBDIVISION; THENCE EASTERLY ALONG THE NORTHERLY PROPERTY LINE OF LOT 36, A DISTANCE OF 175.00 FEET MORE OR LESS TO A POINT; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 50.00 FEET, AND A CENTRAL ANGLE OF 90°00'00" TO A POINT, SAID POINT BEING THE SOUTHEASTERLY CORNER OF LOT 33 OF SAID AMES SUBDIVISION, ALSO SAID POINT BEING THE POINT OF BEGINNING.



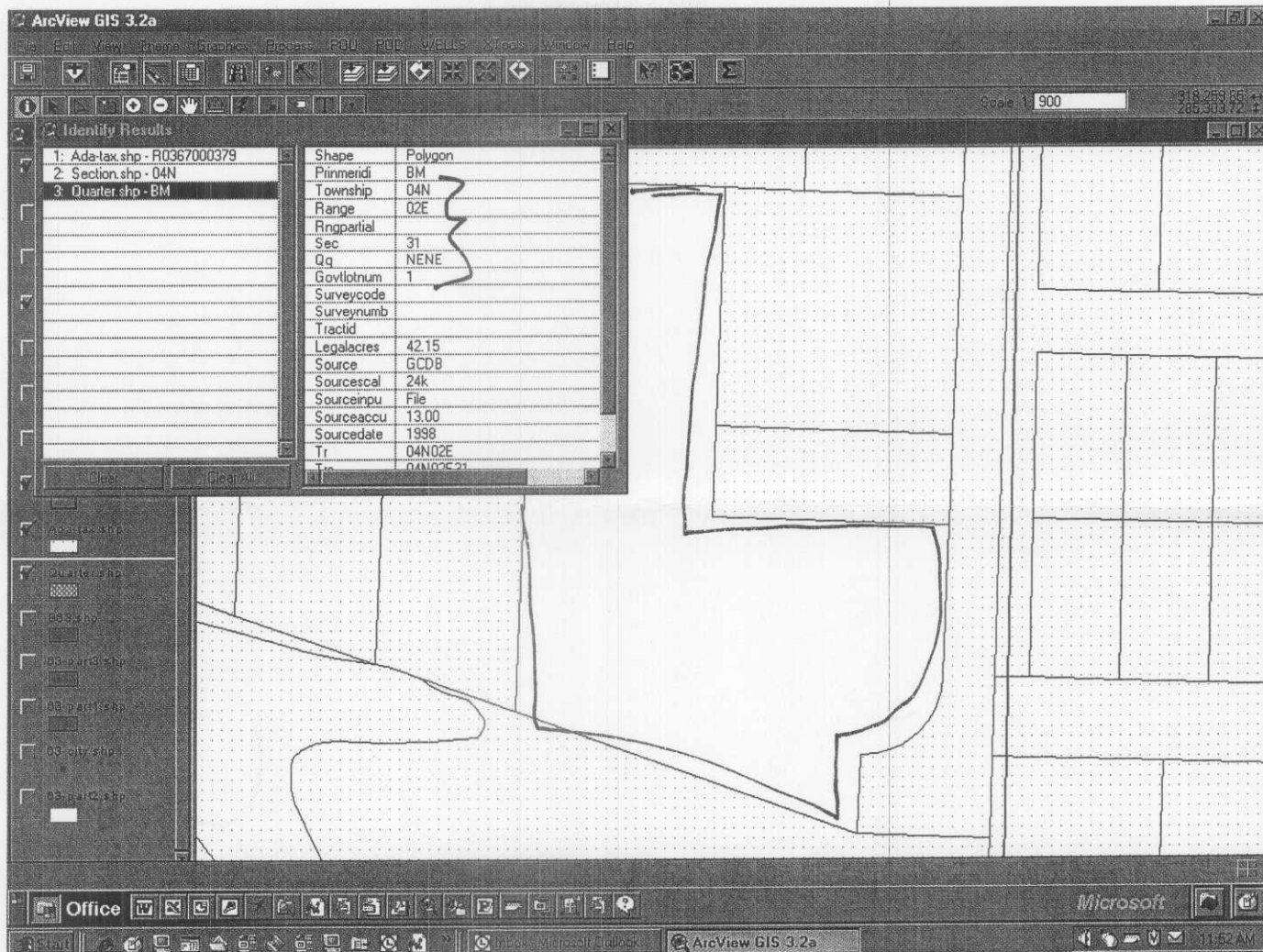
63-17608

PLSS Section Lines

Ada Taxlots



0.6 0 0.6 1.2 Miles



Donni