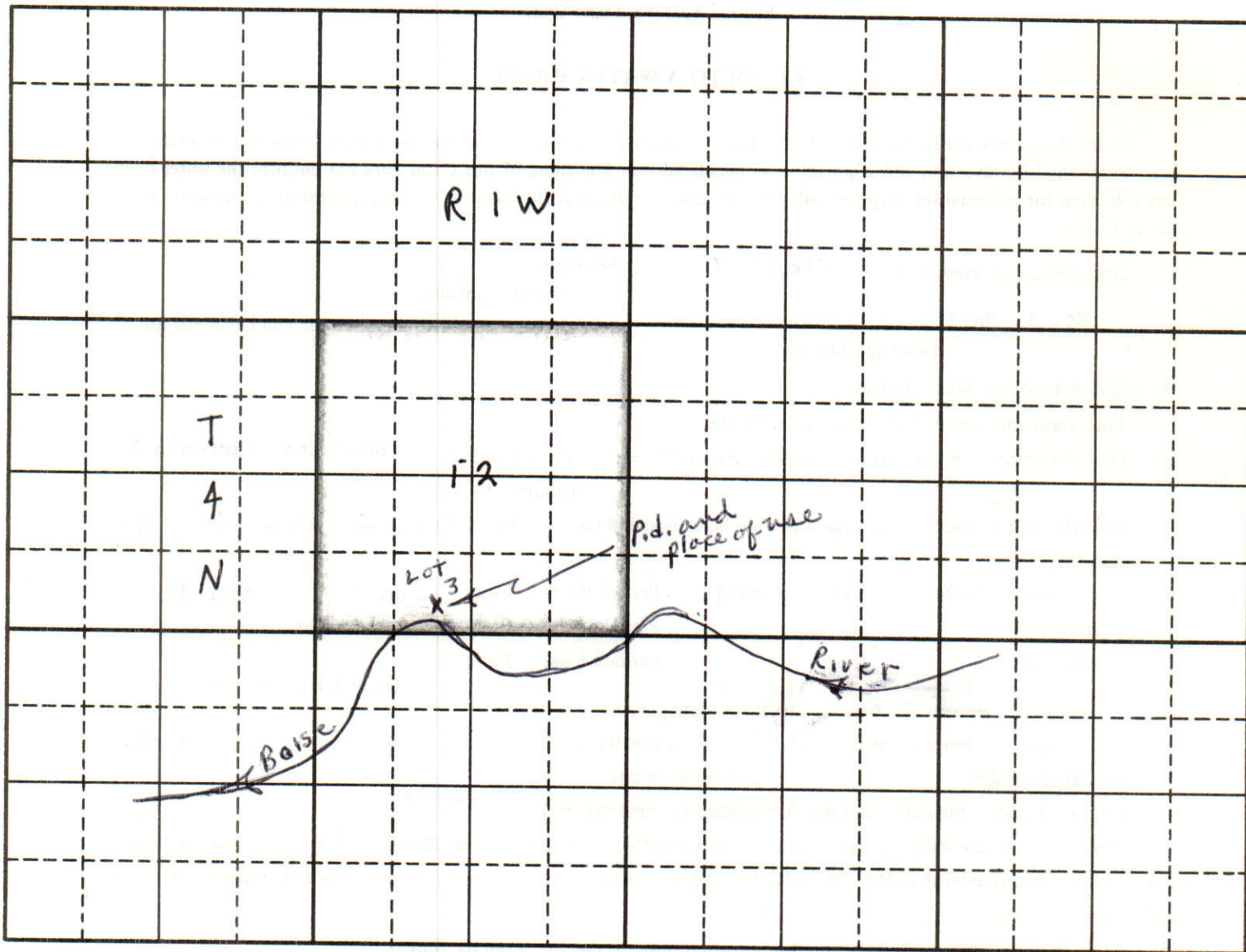


(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Ada ) 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.

Sworn to before me this 20th day of January

X Wesley Roberts  
(Claimant)

Lyle Glen Layton, 1976  
Notary Public  
Residing at Boise, ID

My commission expires Life

For Department Use Only

|                                                 |                           |                     |              |      |
|-------------------------------------------------|---------------------------|---------------------|--------------|------|
| Received by <u>CK</u>                           | Date <u>1-20-76</u>       | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>JS</u>                      | Date <u>1-20-76</u>       |                     | claimant by: |      |
| \$10.00 fee received by <u>CK</u>               | Date <u>1-20-76</u> #3627 |                     |              |      |
| Approved for publication by <u>CK 2-9-76 OK</u> |                           |                     |              |      |
| Published in <u>Idaho Statesman</u>             | <u>1-22-76</u>            |                     |              |      |
| Dates <u>Jan. 29 &amp; Feb. 5</u>               | <u>CK</u>                 |                     |              |      |

STATE OF IDAHO)

) ss.

COUNTY OF ADA )

**NOTICE OF CLAIM  
TO A WATER RIGHT**  
Notice is hereby given that  
Virgil &/or Ida Roberts, Rt. 1,

Eagle, ID., has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a groundwater source with the point of diversion in Lot 3, Sec. 12, T. 4 N, R. 1 W, B.M. Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of May 1965; the place of use is within Lot 3, Sec. 12, T. 4 N, R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KIETH HIGGINSON,  
Director  
Pub. Jan. 29, Feb. 5, 1976 677

Rosemary Marble, 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 insertions, beginning with the issue of January 29, 1976, and ending with the issue of February 5, 1976.

Rosemary Marble

Subscribed and sworn to before me this 5<sup>th</sup>  
day of February, 1976.

Old  
C/S  
2-9-76

Shirley Enggren

Notary Public for Idaho, Residing at Boise, Idaho

**RECEIVED**

**RECEIVED**

FEB 9 1976

Department of Water Resources

FEB 9 1976

**STATE OF IDAHO**

## DEPARTMENT OF WATER RESOURCES

**Section 42-225a, Idaho Code**

## CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Virgil &/or Ida Roberts  
(name of claimant)  
of Rt. 1, Eagle, ID  
(mailing address), claims a right to the diversion and beneficial use of  
the public water of the State of Idaho

**The extent and nature of said claim is as follows:**

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) groundwater (artesian)  
\_\_\_\_\_, tributary to, \_\_\_\_\_
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- |        |             |     |                 |                     |               |    |                |
|--------|-------------|-----|-----------------|---------------------|---------------|----|----------------|
| Amount | <u>0.04</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | _____       | Use | _____           | Period of Use: From | _____         | To | _____          |
| Amount | _____       | Use | _____           | Period of Use: From | _____         | To | _____          |
- (cfs, gpm, or a/d) (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: 0.04 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May 1965

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)  
 Lot 3  $\frac{1}{4}$          $\frac{1}{4}$ , Sec. 12 Twp. 4N Rge. 1W B. M. County of Ada  
 Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. small pump is used to divert water.  
Well is approx. 125' deep and has a 4 inch diameter casing.

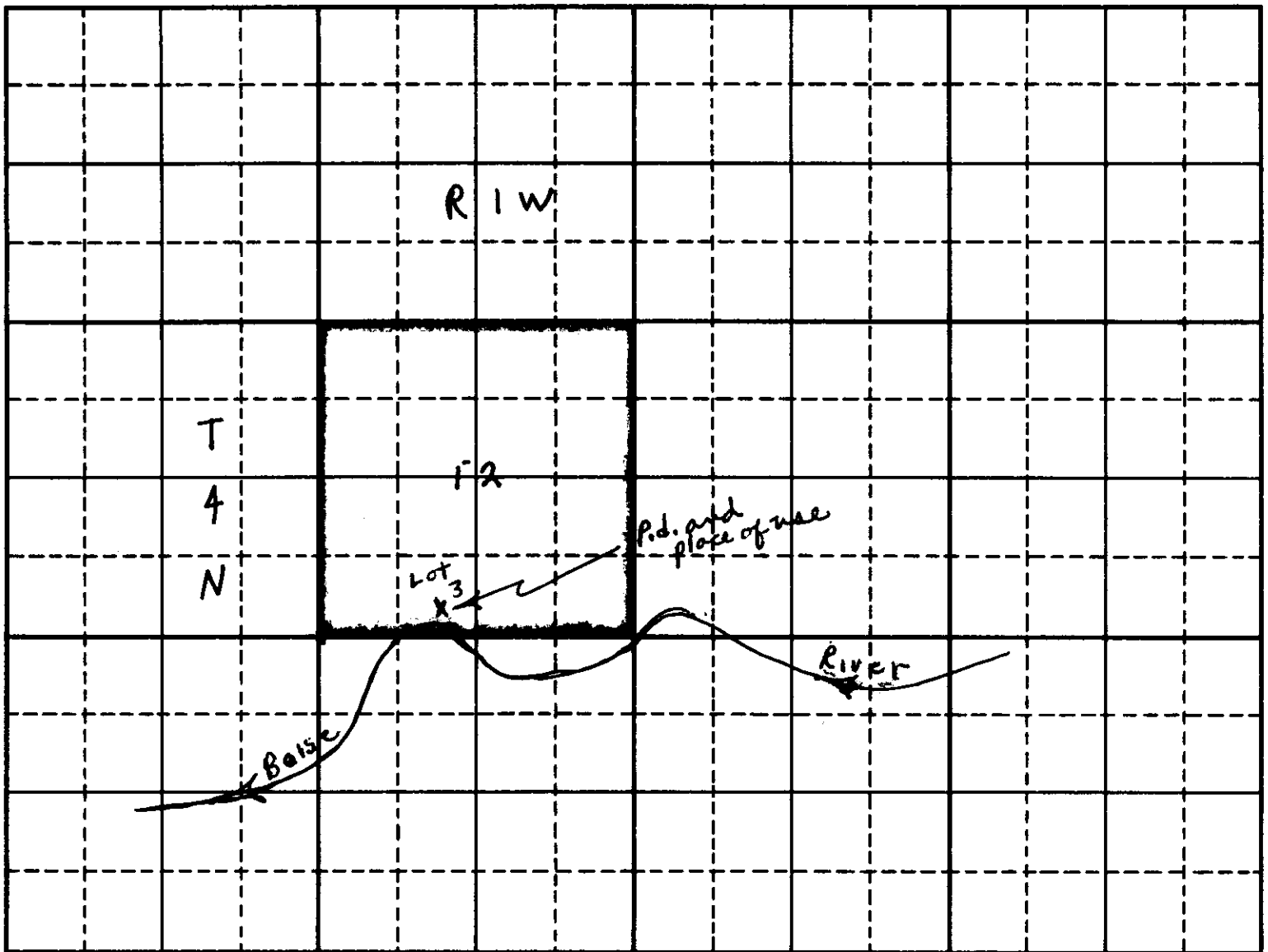
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres \_\_\_\_\_

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Ada ) ss.  
Ada )

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.

Sworn to before me this 20th day of January

X Robert  
(Claimant)

Lyle Glen Layton  
Notary Public  
Residing at Boise, ID

My commission expires Life

For Department Use Only

|                                       |                     |                     |              |      |
|---------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>CK</u>                 | Date <u>1-20-76</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>PK</u>            | Date <u>1-20-76</u> |                     | claimant by: |      |
| \$10.00 fee received by <u>CK</u>     | Date <u>1-20-76</u> | #3627               |              |      |
| Approved for publication by <u>CK</u> | <u>2-9-76</u>       |                     |              |      |
| Published in <u>Idaho Statesman</u>   | <u>1-22-76</u>      |                     |              |      |
| Dates <u>Jan 29 &amp; Feb 5</u>       | <u>1976</u>         |                     |              |      |

*Journal of Management Studies*, 36(7), 809-826  
© Blackwell Publishing Ltd. 2003

two insertions, beginning with the issue of January 29, 1976, and ending with the issue of February 5, 1976.

Rosemary Drake  
Subscribed and sworn to before me this 5<sup>th</sup>  
day of February, 1976.

C.W.  
 C.W.  
 2-9-76

Harold Engren  
 Notary Public for Idaho, Residing at Boise, Idaho

RECEIVED

FEB 9 1976

Department of Water Resources

9 1976



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

December 22, 1988

**CECIL D. ANDRUS**  
GOVERNOR  
**R. KEITH HIGGINSON**  
DIRECTOR

RE: Water Right No. 63-4337

Virgil &/or Ida Roberts  
Rt. 1  
Eagle, ID 83616

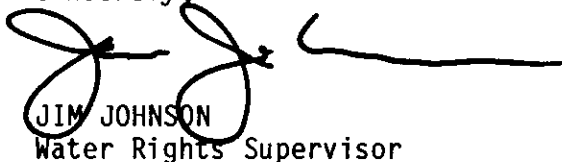
Dear Mr. and Mrs. Roberts:

We are in receipt of the correspondence concerning ownership of the above referenced water right claim.

In Idaho, a claimed water right is considered real property and is acquired when the property to which it is appurtenant is purchased. Proof of owning the land is proof of owning the water right claim, if the previous land owner did not exclude the water right from the sale. Therefore, we will place your correspondence in the file for future reference only and no further action will be taken.

If you have any questions, please let us know.

Sincerely,



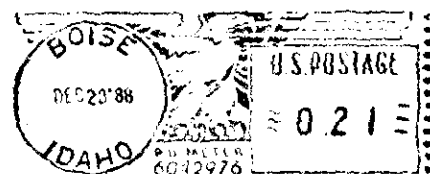
JIM JOHNSON  
Water Rights Supervisor

JJ:ky

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street  
Boise, Idaho 83706-2237



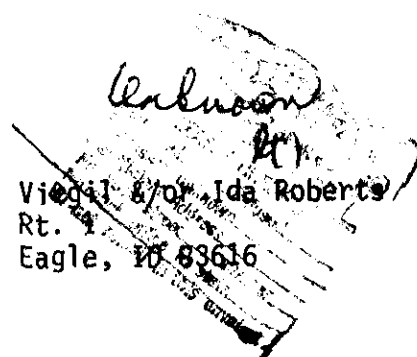
PRESENTED  
FIRST CLASS



NO NEW ADDRESSES IN PHONE  
BOOK, ADA CO. ASSESSOR'S  
OFFICE WILL NOT GIVE  
ADDRESSES OVER PHONE -  
SIMPLY PLACE THIS IN  
FILE. NO FURTHER EFFORT  
REQ'D ON OUR PART.

SC

1/4/89



RECEIVED  
DEC 29 1988

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 22, 1988

RE: Water Right No. 63-4337

Virgil &/or Ida Roberts  
Rt. 1  
Eagle, ID 83616

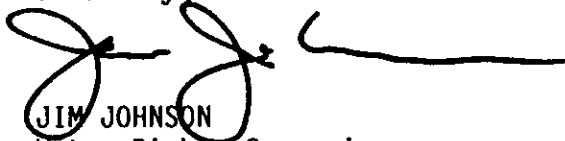
Dear Mr. and Mrs. Roberts:

We are in receipt of the correspondence concerning ownership of the above referenced water right claim.

In Idaho, a claimed water right is considered real property and is acquired when the property to which it is appurtenant is purchased. Proof of owning the land is proof of owning the water right claim, if the previous land owner did not exclude the water right from the sale. Therefore, we will place your correspondence in the file for future reference only and no further action will be taken.

If you have any questions, please let us know.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

JJ:ky

MICROFILMED  
DEC 23 1988

# Schedule A

*Proprietor's Title Insurance - Policy of Title Ins.*

|                                          |                                                          |
|------------------------------------------|----------------------------------------------------------|
| No. <b>O-E 013978</b>                    | Date of Policy: <b>December 16, 1976 as of 3:46 P.M.</b> |
| Amount of Insurance: <b>\$ 36,000.00</b> | Agent's Reference No.: <b>P 35083</b>                    |
| Premium: <b>\$ 206.50</b>                |                                                          |

1. Name of Insured:

**Francis E. Kenyon and Patricia A. Kenyon**

2. Title to the estate or interest covered by this policy at the date hereof is vested in:

**Francis E. Kenyon and Patricia A. Kenyon, husband and wife, presumptively as community property**

3. The estate or interest in the land described or referred to in this Schedule covered by this policy is Fee Simple.

4. The land referred to in this policy is located in the County of **Ada**  
State of **Idaho** and described as follows:

A parcel of land located in Lot 3, Section 12 and Lot 2, Section 13; Township 4 North; Range 1 West, Boise-Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the Section corner common to Sections 11, 12, 13 and 14; Township 4 North, Range 1 West, Boise-Meridian;  
thence S 71°06'16" East 1398.20 feet to a point;  
thence N 0°15'15" East 545.27 feet to a point;  
thence N 87°25'28" East 378.58 feet to an iron pin being the Real Point of Beginning;  
thence continuing N 87°25'28" East 20.18 feet to an iron pin;  
thence S 0°35'16" West 18.73 feet to an iron pin;  
thence S 89°45'09" East 138.84 feet to an iron pin;  
thence S 22°44'16" West 117.65 feet to an iron pin;  
thence N 64°15'22" West 37.50 feet to an iron pin;  
thence on a curve to the left in a Northwesterly direction whose central angle is 116°05'42", Radius is 35.47 feet, tangent is 56.88 feet, arc length is 71.88 feet, chord length is 60.20 feet and chord bearing is N 30°31'41" West to an iron pin;  
thence N 88°34'32" West 50.84 feet to an iron pin-  
thence N 1°50'38" East 57.55 feet to the Real Point of Beginning.

**MICROFILMED**  
**DEC 23 1988**

## Schedule B

POLICY NO.  
O-E 013978

This policy does not insure against loss or damage by reason of the following:

### STANDARD EXCEPTIONS

- (a) Rights or claims of parties in possession not shown by the public records.
- (b) Easements, or claims of easements, not shown by the public records.
- (c) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
- (d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (e) Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
- (f) Taxes or assessments which are not shown as existing liens by the public records.

### SPECIAL EXCEPTIONS

1. The rights, powers and easements of Drainage District No. 2 as by law provided.
2. The rights, powers and easements of Flood Control District No. 10 as by law provided.
3. An Easement over said land in favor of Mountain States Telephone and Telegraph Co., for pole lines and incidental purposes as set forth in an instrument recorded February 27, 1929, in Book 12 of Miscellaneous Records at page 4, records of Ada County, Idaho.
4. An Easement over said land in favor of Idaho Power Company, a corporation, for power line and incidental purposes as set forth in an instrument recorded March 18, 1939 in Book 16 of Miscellaneous Records at page 220, records of Ada County, Idaho.
5. Right of Way Easement granted by Thomas Virgil Roberts and Ida E. Roberts, husband and wife, to the Public, recorded February 2, 1976 as Instrument No. 7604057, records of Ada County, Idaho.
6. Easement Agreement by and between Virgil Roberts and Ida Roberts, husband and wife, Ernie Smith and Laura Smith, husband and wife, to John Wieneke and Shirley Wieneke, husband and wife, recorded February 17, 1976 as Instrument No. 7618063, records of Ada County, Idaho.
7. Right of Way Easement granted by Thomas Virgil Roberts and Ida E. Roberts, husband and wife, and Ernest Smith Jr. and Laura Mae Smith, husband and wife, to Richard P. Knowlton and Greta B. Knowlton, husband and wife, recorded May 13, 1976 as Instrument No. 7618063, records of Ada County, Idaho.

continued

**Schedule (Continued)**

No.

O-E 013978

8. Deed of Trust dated December 16, 1976 executed by Francis E. Kenyon and Patricia A. Kenyon, husband and wife, to Capitol Title Company as Trustee and First Federal Savings and Loan Association of Boise, a corporation, as Beneficiary to secure the payment of \$27,000.00 and interest; recorded December 16, 1976 as Instrument No. 7650019, records of Ada County, Idaho.

**MICROFILMED**

DEC 23 1989

IDENT. NO. 63-4337

I D A H O   D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

WATER RIGHT  
DATA ENTRY LOG

[illegible]



# STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

February 17, 1976

Virgil Roberts  
Rt. 1  
Eagle, ID 83616

RE: Claim to a Water Right No. 63-4337 - Virgil &/or Ida Roberts

Dear Mr. Roberts

The Department of Water Resources 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 a 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 your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.  
Western District Engineer

LGs:cls

Enclosure



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

January 23, 1976

The Idaho Statesman  
Box 40  
Boise, ID 83707

RE: Claim to a Water Right No. 63-4337 - Virgil &/or Ida Roberts  
Application for Permit No. 63-8254 - Burrell J. &/or Venita M. Shockley

Gentlemen:

Enclosed you will find a legal notice 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 review before publication.

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in 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,

Bill Submitted  
2-9-76  
CKB

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4337

Notice is hereby given that Virgil &/or Ida Roberts

Rt. 1, Eagle, ID  
has filed a claim to a water right established by diversion and application  
to beneficial use of 0.04 cubic feet per second ~~XXXXXX~~ of water  
from a groundwater source

with the point of diversion in the Lot 3, Sec. 12, T. 4 N, R. 1 W, B.M.

Ada County

The water is claimed to be used from Jan. 1 to Dec. 31  
for domestic purposes

with a priority of May 1965;

the place of use is within the Lot 3, Sec. 12, T. 4 N, R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Idaho Statesman, Boise, ID  
on Jan. 29, 1976 and Feb. 5, 1976

RECORDED