

No Color
Documents
In File

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
OCT 24 2002
Department of Water Resources

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
63-18006					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

WARRANTY DEED

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 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)

Kathryn ^{McCallum} ~~and~~ John B. McCallum
P.O. Box 6677 Sunny Isle Station St Croix, VI 00823

4. New Owner/Claimant(s)

James W. Broich and Debbie M. Broich
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

2409 E. Beacon Light Rd

City, State and ZIP Code

Eagle Idaho 83616

New Telephone Number

(208) 939-8007

5. Date you acquired the property

6/91

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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 ITEM 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)

James W. Brant

Debbie M. Broich

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 *J. Mann* Date *10-24-02* Fee *\$25.00*
 Receipted by *J. Mann* Date *10-24-02* Receipt No. *0065398*
 Processed by _____ AJ Date _____ WR _____ Date _____

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 NOV 10 2002

WARRANTY DEED

For Value Received John B. McCallum, an unmarried person and
Katheryn McCallum, an unmarried person,

The grantors, do hereby grant, bargain, sell and convey unto James W. Broich and Debbie
M. Broich, husband and wife also known as Debra M. Broich

the grantee, whose current address is 2409 Beacon Light, Eagle, Id. 83616

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

see Attached legal description, Exhibit A

See Attached Exhibit B for reservations by the grantors.

9129888

STATE OF IDAHO
COUNTY OF

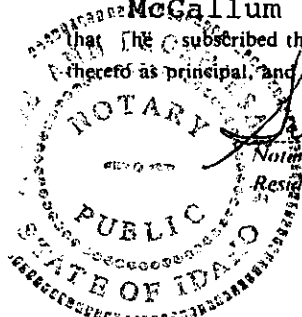
Ada

ss.

On this 6 day of June in the
year 19 91, before me, a Notary Public, personally appeared
John B. McCallum

known or identified to me to be the person whose name is subscribed
to the within instrument as the attorney in fact of Katheryn
McCallum

and acknowledged to me
that she subscribed the name of Katheryn McCallum
thereof as principal, and his (her) own name as attorney in fact.



Notary Public

Residing at Boise, Idaho
4-7-92

SECURITY TITLE
ADA COUNTY ID. FOR
J. DAVID NAVALDO
RECORDER BY Belreal
900

'91 JUN 6 PM 12 05

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they the owners in fee simple of said premises; that they are free
from all incumbrances Except: current year taxes, conditions, covenants, restric-
tions, reservations, easements, rights and rights of way, apparent or of
record.

and that he y will warrant and defend the same from all lawful claims whatsoever.

Dated: May 31, 1991

John B. McCallum

Katheryn McCallum by John B. McCallum
as her attorney in fact

STATE OF IDAHO, COUNTY OF Ada

On this 6

day of June

, 19 91

STATE OF IDAHO, COUNTY OF

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

MICROFILMED
JUN 18 2002

INST

the grantee , whose current address is 2409 Beacon Light, Eag , Id. 83616

the following described premises, in

Ada

County Idaho, to-wit:

see Attached legal description, Exhibit A

See Attached Exhibit B for reservations by the grantors.

9129888

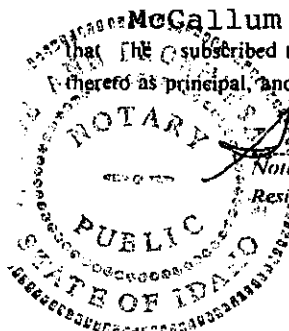
STATE OF IDAHO
COUNTY OF

Ada

ss.

On this 6 day of June in the
year 19 91, before me, a Notary Public, personally appeared
John B. McCallum

known or identified to me to be the person whose name is subscribed
to the within instrument as the attorney in fact of Katheryn
McCallum and acknowledged to me
that she subscribed the name of Katheryn McCallum
thereof as principal, and his (her) own name as attorney in fact.



Notary Public

Residing at Boise Idaho
4-7-92

SECURITY TITLE
ADA COUNTY, ID. FOR
J. DAVID KAYAL TO
RECORDED BY Belveal
900

'91 JUN 6 PM 12 05

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee that they the owners in fee simple of said premises; that they are free
from all incumbrances Except: current year taxes, conditions, covenants, restric-
tions, reservations, easements, rights and rights of way, apparent or of
record.

and that he y will warrant and defend the same from all lawful claims whatsoever.

Dated: May 31, 1991

John B. McCallum

Katheryn McCallum by John B. McCallum
as her attorney in fact

STATE OF IDAHO, COUNTY OF Ada

On this 6 day of June, 19 91
before me, a notary public in and for the said State, personally
appeared John B. McCallum

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

Notary Public

STATE OF IDAHO, COUNTY OF

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

at this minutes past o'clock M.,
day of
19, in my office, and duly recorded in Book
of Deeds at Page

MICROFILMED Ex-Officio Recorder

By NOV 18 2002 Deputy.

INSTRUMENT NO.

Government Lot 3, Township 4 North, Range 1 East of the Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Northeast corner of Government Lot 3, Township 4 North, Range 1 East, Boise Meridian; thence South 0°02'37" East 1,285.25 feet to the Southeast corner of said Government Lot 3; thence North 89°11'33" West 657.42 feet along the South line of said Government Lot 3 to the REAL POINT OF BEGINNING of this description; thence continuing North 89°11'33" West 670.00 feet to the Southwest corner of said Government Lot 3; thence North 0°01'24" West 12.68 feet to a point on the centerline of the Farmer's Union Canal; said centerline being the Easterly line of Lot 4, Block 1 of Rocket Bar Subdivision, according to the official plat thereof, filed in Book 26 of Plats at Pages 1636 and 1637, records of Ada County, Idaho; thence North 70°10'00" East 139.04 feet to a point on the centerline of said Farmer's Union Canal; thence North 26°32'00" East 154.83 feet to a point on the centerline of said Farmer's Union Canal; thence North 14°16'00" West 68.38 feet to a point on the centerline of said Farmer's Union Canal; thence North 79°08'20" East 173.83 feet, leaving said canal, to a point; thence North 63°29'30" East 228.33 feet to a point; thence North 7°23'00" West 149.42 feet to a point; thence North 55°00'00" East 32.77 feet to a point on a curve; thence along a curve to the left 61.03 feet, said curve having a radius of 50.00 feet, a central angle of 69°55'48", tangents of 34.96 feet and a chord of 57.31 feet which bears South 69°57'54" East to a point on a curve; thence South 8°40'00" East 333.90 feet to a point; thence South 0°00'00" West 226.00 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH that certain 25 foot wide easement for ingress and egress, said easement being the 12.50 feet on either side and adjacent to the following described centerline of an existing road which road is particularly described as follows:

Commencing at the Northeast corner of Government Lot 3, Township 4 North, Range 1 East; thence North 89°13'00" West 502.67 feet to the REAL POINT OF BEGINNING of this easement centerline; thence South 2°10'57" West 171.26 feet to a point of curvature; thence along a curve to the right 20.88 feet, said curve having a radius of 50.00 feet, a central angle of 23°55'33", tangents of 10.59 feet and a chord of 20.73 feet which bears South 14°08'43" West to a point of tangency; thence South 26°06'29" West 257.06 feet to a point of curvature; thence along a curve to the right 104.57 feet, said curve having a radius of 200.00 feet, a central angle of 29°57'30", tangents of 53.51 feet and a chord of 103.39 feet which bears South 41°05'14" West to a point of tangency; thence South 56°03'59" West 94.46 feet to a point of curvature; thence along a curve to the left 103.52 feet, said curve having a radius of 75.00 feet, a central angle of 79°04'57", tangents of 61.92 feet and a chord of 95.50 feet which bears South 16°31'30" West to a point of tangency; thence South 23°00'58" East 76.26 feet to the POINT OF TERMINATION, being a point on the boundary of the above described parcel.

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NOV 18 1964

The grantor reserves two access easements, one across the South 25.00 feet of the parcel conveyed in Exhibit "A" herein for purposes of access to grantor's contiguous property Southwest of this parcel and the following described access easement.

Commencing at the Northeast corner of Government Lot 3, Township 4 North, Range 1 East, Boise Meridian; thence South 0°02'37" East 1,285.25 feet to the Southeast corner of said Government Lot 3; thence North 89°11'33" West 657.42 feet along the South line of said Government Lot 3 to a point; thence North 00°00'00" East 226.00 feet to the REAL POINT OF BEGINNING of this easement; thence North 89°11'33" West 40.00 feet to a point; thence North 31°52'39" West 115.27 feet to a point; thence North 7°23'00" West 234.42 feet to a point; thence North 55°00'00" East 32.77 feet to a point on a curve; thence along a curve to the left 61.03 feet, said curve having a radius of 50.00 feet, a central angle of 69°55'48", tangents of 34.96 feet and a chord of 57.31 feet which bears South 69°57'54" East to a point on a curve; thence South 8°40'00" East 333.90 feet to the REAL POINT OF BEGINNING of this easement.

This easement is reserved for the benefit of grantors' and their successors and assigns so that they can construct and maintain a road access for ingress and egress to grantors' property East of the parcel conveyed on Exhibit "A" herein.

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OWNERS POLICY

SCHEDULE A

File No.: 124202

Amount of Insurance: \$125,000.00

Policy Number: 13001860000156

Premium Amount: \$583.75

Date of Policy: June 6, 1991 at 12:06 P.M.

1. Name of Insured:

James W. Broich and Debbie M. Broich, also known as Debra M. Broich

2. The estate or interest in the land which is covered by this Policy is:

Parcel I: A Fee Simple

Parcel II: Easement as created by Warranty Deed dated May 31, 1991, recorded June 6, 1991 as Instrument No. 9129888

3. Title to the estate or interest in the land is vested in:

James W. Broich and Debbie M. Broich, also known as Debra M. Broich, husband and wife

4. The land referred to in this Policy is described as follows:

(Continued)

This Policy valid only if Schedule B is attached.

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NOV 13 2002

OWNERS POLICY

SCHEDULE A (Continued)

File No.: 124202

Policy Number: 13001860000156

Legal Description (Continued)

PARCEL I

A parcel of land located in Government Lot 3, Section 3, Township 4 North, Range 1 East of the Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Northeast corner of Government Lot 3, Township 4 North, Range 1 East, Boise Meridian; thence
South 0°02'37" East 1,285.25 feet to the Southeast corner of said Government Lot 3; thence
North 89°11'33" West 657.42 feet along the South line of said Government Lot 3 to the REAL POINT OF BEGINNING of this description; thence
continuing North 89°11'33" West 670.00 feet to the Southwest corner of said Government Lot 3; thence
North 0°01'24" West 12.68 feet to a point on the centerline of the Farmer's Union Canal; said centerline being the Easterly line of Lot 4, Block 1 of Rocket Bar Subdivision, according to the official plat thereof, filed in Book 26 of Plats at Pages 1636 and 1637, records of Ada County, Idaho; thence
North 70°10'00" East 139.04 feet to a point on the centerline of said Farmer's Union Canal; thence
North 26°32'00" East 154.83 feet to a point on the centerline of said Farmer's Union Canal; thence
North 14°16'00" West 68.38 feet to a point on the centerline of said Farmer's Union Canal; thence
North 79°08'20" East 173.83 feet, leaving said canal, to a point; thence
North 63°29'30" East 228.33 feet to a point; thence
North 7°23'00" West 149.42 feet to a point; thence
North 55°00'00" East 32.77 feet to a point on a curve; thence
along a curve to the left 61.03 feet, said curve having a radius of 50.00 feet, a central angle of 69°55'48", tangents of 34.96 feet and a chord of 57.31 feet which bears South 69°57'54" East to a point on a curve; thence
South 8°40'00" East 333.90 feet to a point; thence
South 0°00'00" West 226.00 feet to the REAL POINT OF BEGINNING.

PARCEL II

A 25.00 foot wide access easement for ingress and egress, said easement being the 12.50 feet on either side and adjacent to the following described centerline of an existing road.

Commencing at the Northeast corner of Government Lot 3, Township 4 North, Range 1 East; thence
North 89°13'00" West 502.67 feet to the REAL POINT OF BEGINNING of this easement centerline; thence
South 2°10'57" West 171.26 feet to a point of curvature; thence
along a curve to the right 20.88 feet, said curve having a radius of 50.00 feet, a central angle of 23°55'33", tangents of 10.59 feet and a chord of 20.73 feet which bears South 14°08'43" West to a point of tangency; thence
South 26°06'29" West 257.06 feet to a point of curvature; thence
along a curve to the right 104.57 feet, said curve having a radius of 200.00 feet, a

(Continued)

MIQUEL
11/13/02

OWNERS POLICY

SCHEDULE A (Continued)

File No.: 124202

Policy Number: 13001860000156

Legal Description (Continued)

central angle of $29^{\circ}57'30''$, tangents of 53.51 feet and a chord of 103.39 feet which bears South $41^{\circ}05'14''$ West to a point of tangency; thence South $56^{\circ}03'59''$ West 94.46 feet to a point of curvature; thence along a curve to the left 103.52 feet, said curve having a radius of 75.00 feet, a central angle of $79^{\circ}04'57''$, tangents of 61.92 feet and a chord of 95.50 feet which bears South $16^{\circ}31'30''$ West to a point of tangency; thence South $23^{\circ}00'58''$ East 76.26 feet to the POINT OF TERMINATION, being a point on the boundary of the above described Parcel I.

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NOV 18 2002

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 63-18006

NAME AND ADDRESS: JOHN B MC CALLUM
KATHERYN MC CALLUM
PO BOX 6677
SUNNY ISLE STATION
ST CROIS, VI 00823

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 06/01/1929

POINT OF DIVERSION: T04N R01E S03 NENENW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Ada County
	T04N R01E S03	NENW
	Domestic	Within Ada County
	T04N R01E S03	NENW

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

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NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 13, 2002

JAMES W BROICH
DEBBIE M BROICH
2409 E BEACON LIGHT RD
EAGLE ID 83616

RE: Change of Ownership for Water Right 63-18006

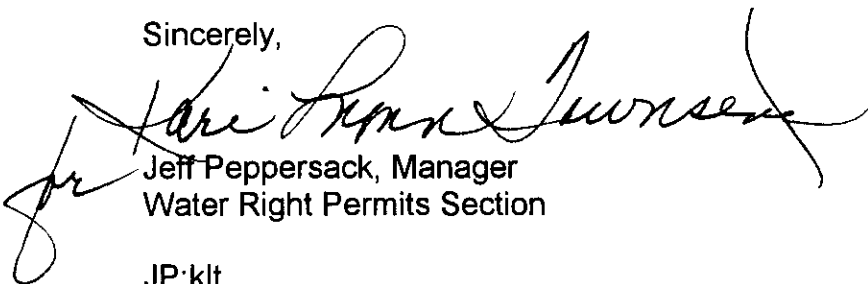
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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NOV 18 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

~~OCTOBER~~

September 18, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

2nd Request

JIM BROICH
DEBBIE BROICH
2409 E BEACON LIGHT RD
EAGLE ID 83616

RE: Decreed Water Right 63-18006

Dear Mr. & Mrs. Broich:

We have been advised that you may be the current owner of the property that has been decreed as referenced above. A copy of the water right proof report is enclosed for your information and convenience.

Before we can modify our records to reflect your ownership of the property and the water right referenced above, we need to have a Notice of Change in Water Right Ownership form completed and returned with the appropriate filing fee. I have enclosed a copy of this form for your convenience.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. **Failure to report these changes could result in a \$100 late filing fee.** Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

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SEP 17 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 18, 2002

JIM BROICH
DEBBIE BROICH
2409 E BEACON LIGHT RD
EAGLE ID 83616

RE: Decreed Water Right 63-18006

Dear Mr. & Mrs. Broich:

We have been advised that you may be the current owner of the property that has been decreed as referenced above. A copy of the water right proof report is enclosed for your information and convenience.

Before we can modify our records to reflect your ownership of the property and the water right referenced above, we need to have a Notice of Change in Water Right Ownership form completed and returned with the appropriate filing fee. I have enclosed a copy of this form for your convenience.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

MICROFILMED
NOV 18 2002