

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 63-3483F
Date Received: 9/6/1989
Receipt No: C011178
Received By:

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

1. Name of Claimant(s)

RICHARD METZER Phone: (208) 938-2727
725 W STILLWELL DR
EAGLE ID USA 83616

OR

DONNA METZER Phone: (208) 938-2727
725 W STILLWELL DR
EAGLE ID USA 83616

2. Date of Priority: 01/07/1966

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	29	SW SW SE	ADA	

5. Description of diverting works:

WELL, 5 HP SUBMERSIBLE PUMP, SPRINKLERS, PIPED TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.09	
DOMESTIC	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.11 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section 1/4 of 1/4	Lot	Use	Acres
05N	01E	29	SW SE SW SE	IRRIGATION DOMESTIC	4.5
Section Acres					4.5
Total Acres					4.5

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

LOT 5, BLK 3, STILLWELL ESTATES NO. 3.

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Donna Metzger Date: 10-3-02
_____ Date: _____

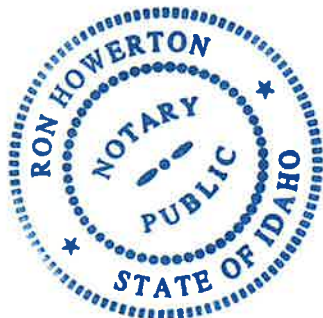
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this

3RD of OCT 2002

Ron Howerton

Notary Public



Residing at _____ Ron Howerton

My commission Expires _____ Residing at Boise, Idaho
My Commission Expires December 8, 2006

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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, 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
	03-3483	F			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) are 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) NAYLOR, Thomas and KRISTIE
725 Stillwell Dr
4. New Owner/Claimant(s) Richard or Donna Metzger
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 725 W. Stillwell Dr
- City, State and ZIP Code Eagle, Id 83616
- New Telephone Number (208) 938-2727
5. Date you acquired the property 6-29-99

EXHIBIT "A"

The land referred to in this commitment is situated in the State of Idaho, County of Ada, and is described as follows:

Lot 5 in Block 3 of STILLWELL ESTATES SUBDIVISION NO. 3, according to the official plat thereof, filed in Book 39 of Plats at Page 3266, Official Records of Ada County, Idaho, EXCEPT the following portion of land, more particularly described as follows:

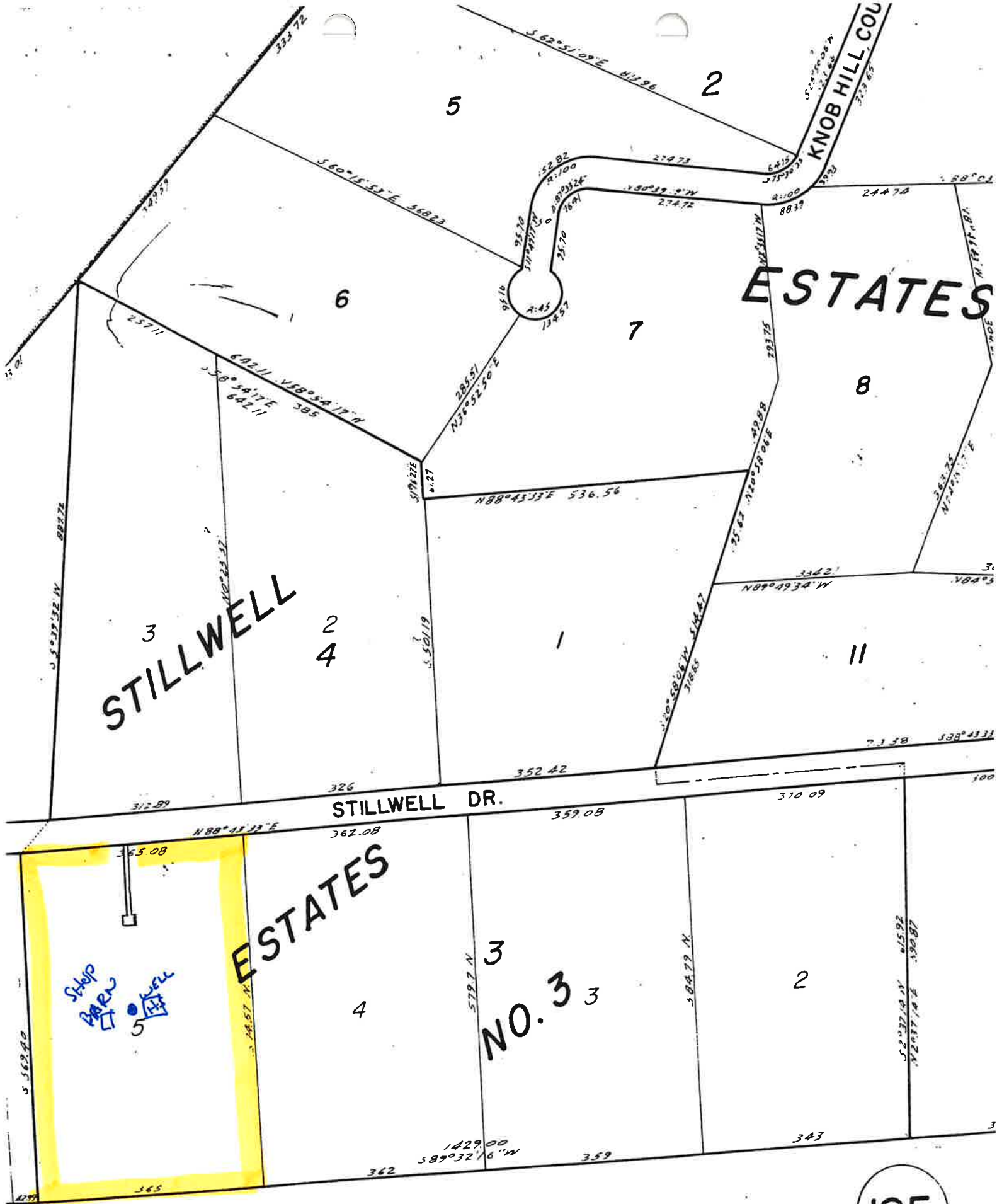
Commencing at the Northwest corner of said Lot 5 in Block 3 of STILLWELL ESTATES SUBDIVISION NO. 3; thence East along the Northerly boundary of said Lot 5, 166 feet to the REAL POINT OF BEGINNING; thence South 119 feet to a point; thence West 3 feet to a point; thence South 16 feet to a point; thence East 16 feet to a point; thence North 16 feet to a point; thence West 3 feet to a point; thence North 119 feet to a point; thence West 10 feet to the REAL POINT OF BEGINNING.

SCHEDULE C

The land referred to in this policy is situated in the State of Idaho, County of Ada, and is described as follows:

Lot 5 in Block 3 of STILLWELL ESTATES SUBDIVISION NO. 3, according to the official plat thereof, filed in Book 39 of Plats at Page 3266, Official Records of Ada County, Idaho, EXCEPT the following portion of land, more particularly described as follows:

Commencing at the Northwest corner of said Lot 5 in Block 3 of
STILLWELL ESTATES SUBDIVISION NO. 3; thence
East along the Northerly boundary of said Lot 5, 166 feet to the
REAL POINT OF BEGINNING; thence
South 119 feet to a point; thence
West 3 feet to a point; thence
South 16 feet to a point; thence
East 16 feet to a point; thence
North 16 feet to a point; thence
West 3 feet to a point; thence
North 119 feet to a point; thence
West 10 feet to the REAL POINT OF BEGINNING.



CORNER
C.29

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: A63-03483F
Date Received: 9/06/1989
Receipt No: CD 1178
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS E. NAYLOR 208-939-4241
Address: 725 STILLWELL DR.
EAGLE, ID 83616

AND/OR

Name: KRISTIE A. NAYLOR 208-939-4241
Address: 725 STILLWELL DR.
EAGLE, ID 83616

2. Date of Priority: JAN 07, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	29	SW	SW	SE		ADA

5. Description of diverting works:
WELL, 5 HP SUBMERSIBLE PUMP, SPRINKLERS, PIPED TO HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 15.8 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	29	SW	SE		IRR	4.5
			SW	SE		DOMEST	

Section Acres 4.5

Total Acres 4.5

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 5, BLOCK 3, STILLWELL ESTATES

15. Basis of Claim: LICENSE
Water Right Number: 32674

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Thomas E D Taylor* Date: 9-7-89

Date: _____

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of *September* 19 *89* *Carter Fritschle*
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

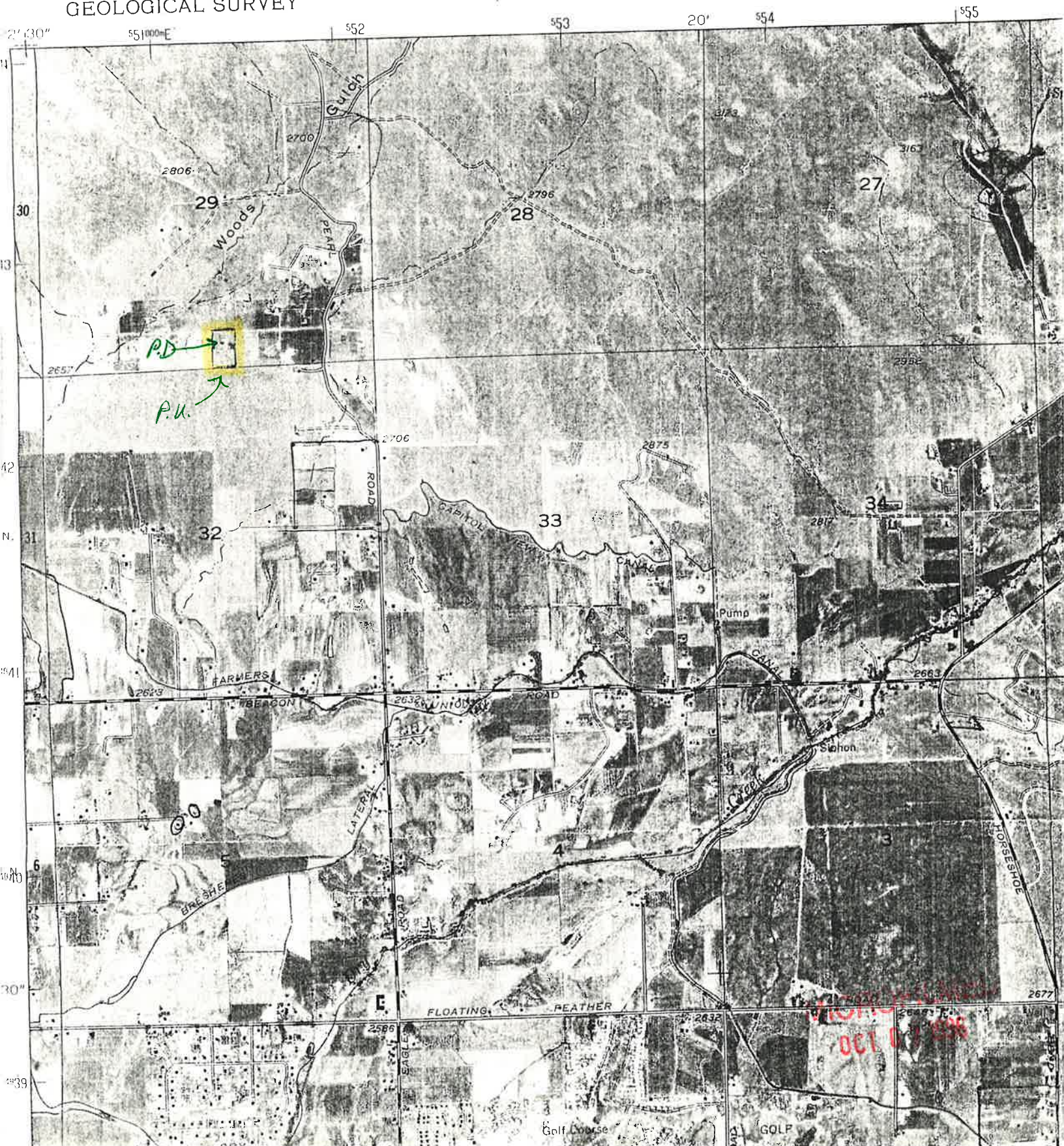
State of Idaho
DEPARTMENT OF WATER RESOURCES

POOR ORIGINAL

A63-03483 F

T 5N R 1E

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32674/63-3483 Priority Jan. 7, 1966 Amount 1.63 cfs

THIS IS TO CERTIFY, that WALTER JR. -or- LUCILLE STILLWELL
of Eagle, Idaho, have, ~~has~~ complied with the terms and conditions of Permit
No. 32674/63-3483 issued pursuant to Application for Permit dated January 7, 1966,
and has submitted proof to the Department of Water Administration on September 1, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.63 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 1.63 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 1.63 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, Twp. 5 N, Rge. 1 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 387 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	1 E	29				10								23			40	13	86

Total number of acres irrigated 86

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6TH day of

November, 19 73.


Director

63 3483

9:30 Fri 6 Aug

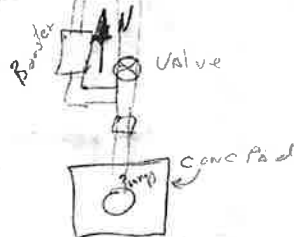
Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

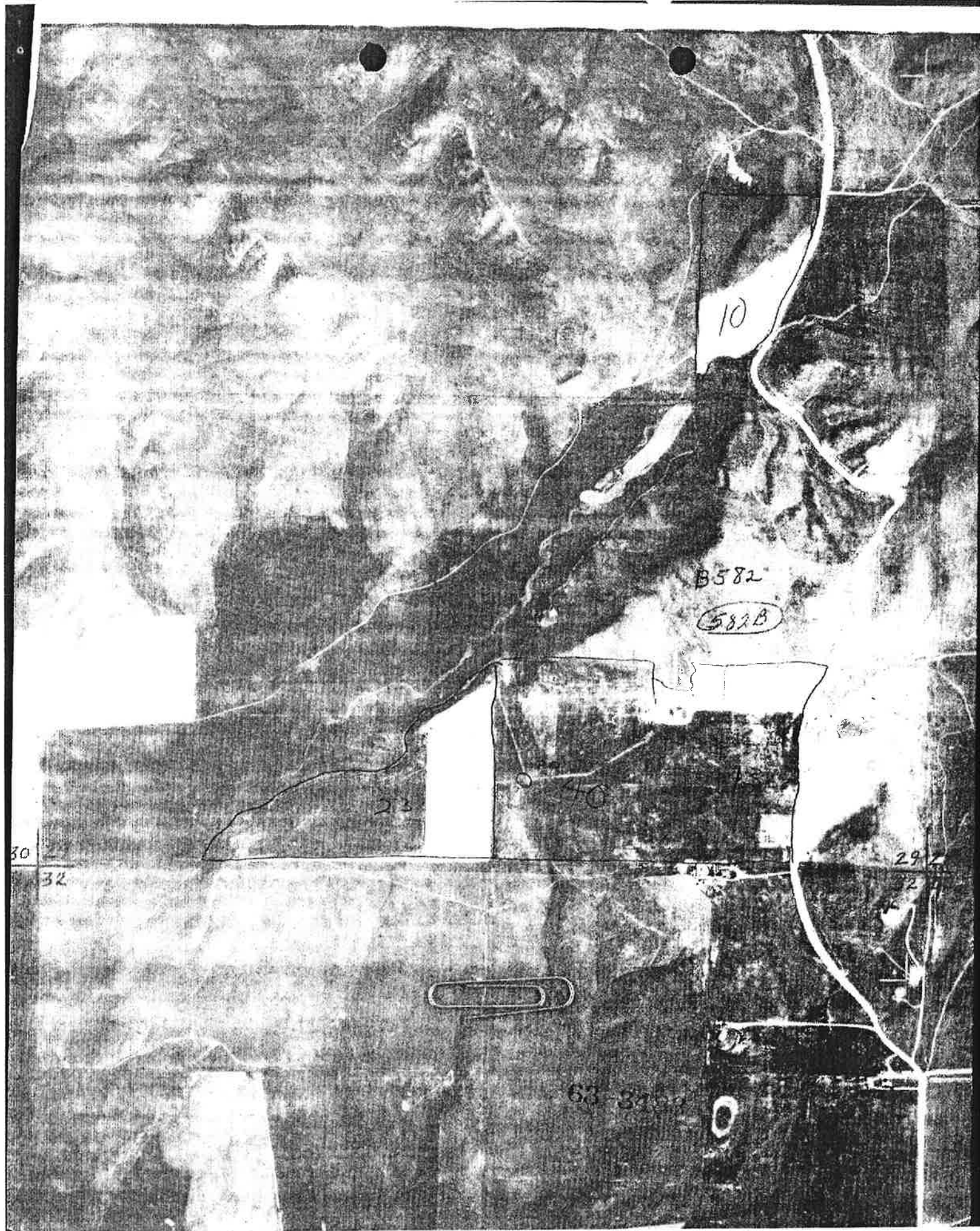
REPORT OF EXAMINER

PERMIT NO. ~~G-32674/63~~-3483

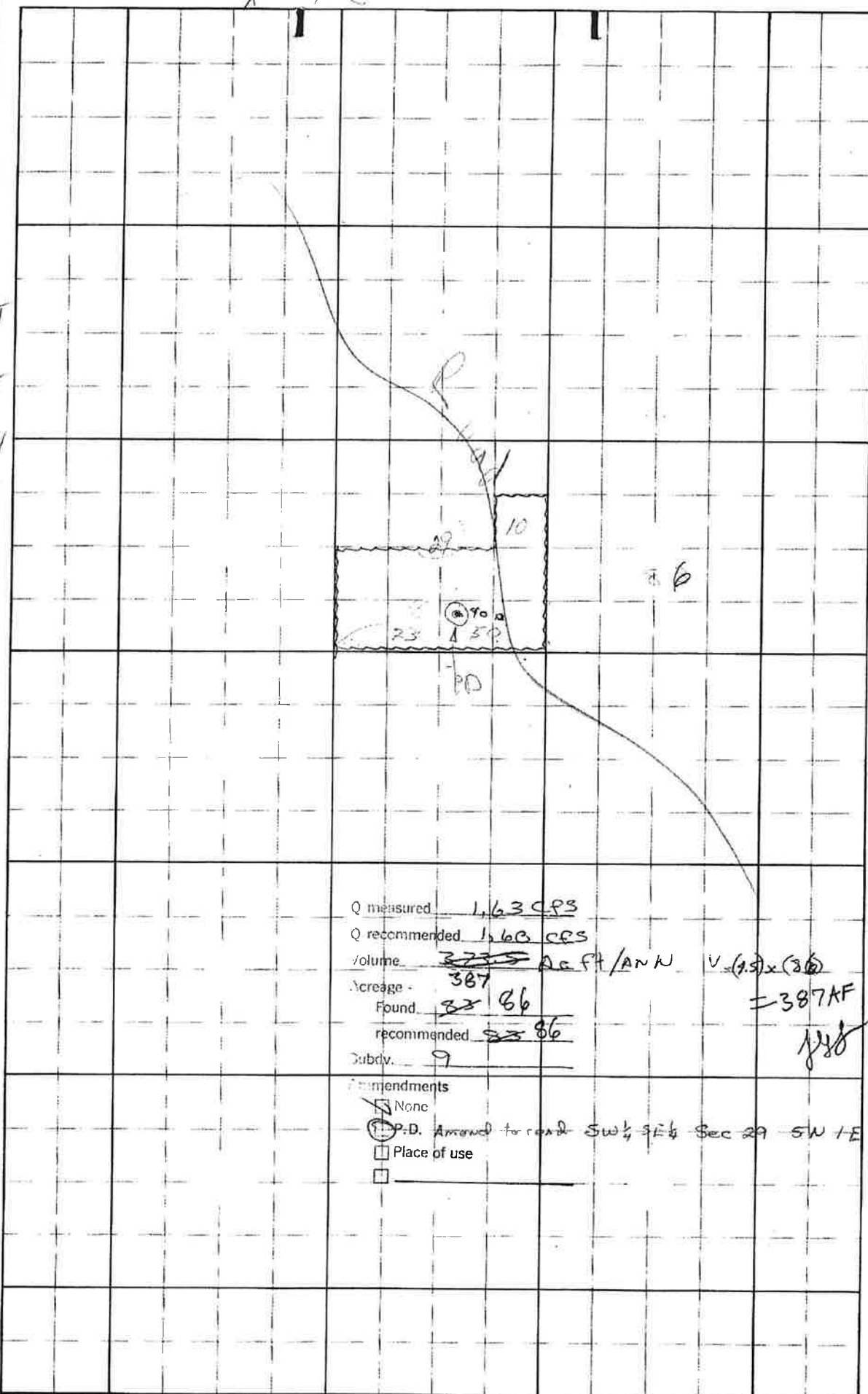
REPORT ON PROOF OF B/U WALTER JR. OR LUCILLE STILLWELL



63 3483



T
S
N



Q measured 1.63 CPS
 Q recommended 1.63 CPS
 volume ~~323~~ 387 AC FT/ANN $V = (1.5) \times (36)$
 acreage -
 Found 323 86
 recommended 323 86
 Subdv. 9

$= 387 \text{ AF}$
1/28

Recommendations
☒ None
☒ P.D. Amended to read SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 29 SW 1/4
☐ Place of use
☐ _____

02/02/2005

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

RIGHT NUMBER: 63-3483F
NAME AND ADDRESS: RICHARD METZER
725 W STILLWELL DR
EAGLE ID 83616
DONNA METZER
725 W STILLWELL DR
EAGLE ID 83616

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.090 CFS
20.300 AFY
PRIORITY DATE: 01/07/1966
POINT OF DIVERSION:

T05N R01E S29 SWSWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.090 CFS 20.30 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE
NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S29 SWSE 4.5

4.5 ACRES TOTAL

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.

EXPLANATORY MATERIAL: License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483F V1

WATER RIGHT NUMBER: 63-3483F V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LUCILLE STILLWELL 455 N WILLOW CREEK RD EAGLE, ID 83616 (208)939-6561
Current Owner	RICHARD METZER 725 W STILLWELL DR EAGLE, ID 83616 (208)938-2727
Original Owner	WALTER P STILLWELL JR 455 N WILLOW CREEK RD EAGLE, ID 83616 (208)939-6743
Original Owner	KRISTIE A NAYLOR 725 STILLWELL DR EAGLE, ID 83616 (208)939-4241
Original Owner	THOMAS E NAYLOR 725 STILLWELL DR EAGLE, ID 83616 (208)939-4241
Current Owner	DONNA METZER 725 W STILLWELL DR EAGLE, ID 83616 (208)938-2727

Priority Date: 01/07/1966

Basis: License

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>
IRRIGATION	03/15 to 11/15	0.090 CFS	20.30 AF
	<u>Total Diversion:</u>	0.090 CFS	20.30 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4SE1/4	Sec. 29, Twp 05N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	29															4.5		4.5

Total Acres: 4.5

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483F V1

Total Acres: 4.5

Conditions of Approval:

1. 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.

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. csaxton 2/2/2005 Resumption

Comment: Use of this portion of 63-03483 has been resumed. 2003 photography shows evidence of irrigation.

2. csaxton 2/2/2005 No Domestic

Comment: Domestic use cannot be recommended under this claim. Domestic use was not licensed as part of original license 63-03483. Addition of domestic purpose of use would be an enlargement of the right due to the extended SOU.

3. csaxton 2/2/2005 POD

Comment: POD digitized based on map provided in licensing field exam map.

4. csaxton 2/2/2005 Diversion Rate(2)

Comment: Diversion rate rounded up to hundredths of a CFS.

5. csaxton 2/2/2005 Diversion Rate(1)

Comment: Diversion rate recommended at licensed diversion rate of 0.019 cfs per acre.

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>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483F V1

Contacts	2/2/2005 11:32:23 AM	csaxton	Active
Priority Date	2/2/2005 11:32:41 AM	csaxton	Active
POD	2/2/2005 11:32:50 AM	csaxton	Active
Source	2/2/2005 11:33:30 AM	csaxton	Active
POU	2/2/2005 11:33:41 AM	csaxton	Active
Use	2/2/2005 11:34:31 AM	csaxton	Active
Season	2/2/2005 11:34:45 AM	csaxton	Active
Quantity	2/2/2005 11:35:20 AM	csaxton	Active
Summary	02/02/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	2/2/2005 11:33:04 AM	csaxton	Edited point location
POU	2/2/2005 11:34:02 AM	csaxton	Edited shape boundary
Contacts	2/2/2005 11:32:23 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
Priority Date	2/2/2005 11:32:42 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	2/2/2005 11:32:50 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	2/2/2005 11:33:30 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483F V1

POU	2/2/2005 11:33:42 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	2/2/2005 11:34:31 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	2/2/2005 11:34:46 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	2/2/2005 11:35:20 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As licensed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3483F V1

Summary	2/2/2005 11:36:45 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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?
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3483F

WATER RIGHT NUMBER: 63-3483F

Owner Type Name and Address
 Current Owner RICHARD METZER ✓
 725 W STILLWELL DR
 EAGLE, ID 83616
 (208)938-2727
 Current Owner DONNA METZER ✓
 725 W STILLWELL DR
 EAGLE, ID 83616
 (208)938-2727

Priority Date: 01/07/1966 ✓
 Basis: License ✓
 Status: Active ✓

Source
 GROUND WATER ✓

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15	11/15	0.090 CFS ✓	20.3 AFA
DOMESTIC	1/01	12/31	0.020 CFS	
<u>Total Diversion:</u>			0.110 CFS 0.09	20.3 AFA

Location of Point(s) of Diversion

GROUND WATER ✓ SW 1/4SW 1/4SE 1/4 Sec. 29, Twp 05N, Rge 01E, B.M.
 ADA County ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	01E	29	NE	NW	SW	SE	4.5
Total Acres: 4.5 ✓							4.5

~~DOMESTIC~~

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	01E	29	NE	NW	SW	SE	4.5
							X

Conditions of Approval:Remarks:

- Explanatory LOT 5, BLK 3, STILLWELL ESTATES NO. 3.

Comments:

see comments in ECUR

Dates and Other Information:

Claim Received Date: 9/6/1989
 State or Federal: S
 Owner Name Connector: OR
 Mitigation Plan: False

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed) *N/A*
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant *N/A*

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-03483F

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address _____
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: Original Licensed POD
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		SW	SW	SE	29	SW	1E	Ada	Taken off Recommended layer

Description of diverting works

OVERLAP REVIEWOther water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
☒ Different Uses

Use Irr From 3-15 To 11-15 Amount 0.09 CFS 20.3 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

- No Domestic -**TOTAL VOLUME – Groundwater only**

- ☒ Incomplete on claim, the total is, Amount 0.09 CFS 20.3 AFA
☐ Changes found, the new total is, Amount _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change no Domestic
☒ Changes Exam found: Domestic # of homes _____ Stock # _____
 Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1E	29															4.5		4.5

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative:

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
Taken from Recommended Buyer					

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

- original POD according to claimant affidavit 10-3-02

- looks like resumption of use. 2003 photograph shows evidence of Irrigation.

- diversion Rate + Vol Rounded up.

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU *N/A*
- ☐ GPS readings *N/A*
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 2-2-06

FIELD EXAMINER: Way C. Gayton

Claimed

Recommend

63-03483 1.63 cfs 86 ac 387 afa	A Head, David		<i>Recommended</i>	
	0.095 Irr + Dom	0.08	Built 1981	
	4	4	C03	
		18	Irr only	
	B Stillwell, Walter		<i>Recommended</i>	
	0.14 Irr + Dom	0.080	Built 1980	
	5	4.2	C03	
	15	18.9	Irr only	
	C Tennant, Donley		<i>Recommended</i>	
	0.08 Irr	0.08	Built 1981	
	4	4	C03	
		18	Irr	
	D Russell, Charles		<i>Recommended</i>	
	0.14 Irr+Dom+Stock	0.07	Built 1978	
	4	3.8	C03	
		17.1	Irr	
	E Thompson, Carol		<i>Recommended</i>	
	0.16 Irr+Dom+Stock	0.06	Built 1976	
	5	3.1	C03	
		14.0	Irr	
	F Metzger, Richard		<i>Recommended</i>	
	0.11 Irr + Dom	0.09	Built 1979	
	4.5	4.5	C03	
		20.3	Irr	
	G Dalessio, Gerald		<i>Recommended</i>	
	0.16 Irr+Dom+Stock	0.080	Built 1984	
	5	4.2	C03	
		18.9	Irr	
	H Jones, William		<i>Recommended</i>	
	0.16 Irr+Dom+Stock	0.061	Built 1975	
	5	3.2	C03	
		14.4	Irr	
	J Breshears, Verle		<i>Recommended</i>	
	0.19 Irr+Dom+Stock	0.05	Built 1981	
	5	2.7	C03	
		12.2	Irr	
	K Davey, Richard		<i>Recommended</i>	
	0.08 Irr	0.07	Irr	
	4	3.5		
		15.8		
	L Geary, Timothy		<i>Recommended</i>	
	0.13 Irr	0.13	Per TR 5274	
	7	7		
	31.5	31.5		
	M West, Robert		<i>Disallowed</i>	
	0.16 Irr+Dom+Stock	0	Built 1984	
	5	0		
		0		
	N McMurray, Michael		<i>Recommended</i>	
	0.04 Irr	0.03	Built 1992	
	2	1.8	Irr	
		3.2	Licensed POD	
	P Graybadger, Gregory		<i>Recommended</i>	
	0.057	0.06	Per Tr 70172	
	3	3		
		13.5		
	Q Barats, Kurt		<i>Recommended by Ron</i>	
	0.076 Irr	0.076		

Had to Recommend 15 afa

Not all claimed POU in Licensed POU
Cannot recommend Entire claimed POUNot all claimed POU in Licensed POU
Cannot recommend Entire claimed POUDidn't claim Licensed priority Date
Not all claimed POU in Licensed POU
Cannot recommend Entire claimed POU

	4	4
		18
R. Peeterson, Jerry		<i>Recommended by Ron</i>
	0.085 Irr	0.082
	4.5	4.3
	20.25	19.35
S. Ellis, Dwayne		<i>Recommended by Ron</i>
	0.078 Irr	0.078
	4.1	4.1
	18.45	18.45

Sum CFS=	1.941
Sum Acre=	75.1
Sum Div Vol =	85.2

Un-accounted for CFS=	-0.311
Un-accounted for Acres=	10.9
Un-Accounted for Vol =	301.8

Diversion Rate per Acre =	0.019
Diversion Vol per Acre =	4.5

Sum CFS=	1.161
Sum Acre=	61.4
Sum Vol =	271.44

Un-accounted for CFS=	0.469
Un-accounted for Acres=	24.6
Un-accounted for Vol=	115.58

Memorandum

Date: January 14, 2005

To: File

From: Craig Saxton

Re: SRBA claims 63-03016C and 63-03483K

I called Richard B Davey and spoke with him concerning the two above mentioned rights. Intrepid apparently GPS's Two points of diversion on his property.... One for each of the above mentioned claims.

My intent for calling Mr. Davey was to find out if the two POD's were interconnected and I could recommend a PPU for the two rights as they total 4.5 acres claimed, and I only found 3.5 irrigated acres. The other reason I wanted to recommend them as a PPU is that 63-03016C is for 0.5 ac and 63-03483K is for 4 ac. I can not distinguish the difference of what 0.5 acres on the property is irrigated under on right and which 4.0 acres is irrigated under the other.

Thus, per our conversation, the one well is used to irrigate all the irrigated ground and the irrigated ground was determined to be 3.5 acres.

Recommend PPU limiting 63-03016C to 0.5 ac within the 3.5 ac found (K06)

63-03016C and 63-03483K are limited to a total diversion Rate of ~~0.07~~ cfs.

0.066

Add C05 for change in POU based on PPU rules for 63-03016C

Add C03 for change in POD, well drilled in 1982 for 63-03016C and 63-03483K

No K06 for 63-03483K

10-25-04 : Address & Ownership on Taxlot data do not match claim
But Lot & Block do. Taxlot data says: Walter Stillwell P 30
455 Willow Ck Rd

: Rec Iir only as domestic was not licensed.

: Affidavit says they have original well. Rec POD as
licensed.

: Doesn't look like much irr in 1987

: Parcel #: R 8163170210 - Home built in 1979 - Poss C of 3

2-2-05 : Resumption - 2003 Photography shows signs of Irrigation

: No other WR claims filed.



Land Records

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Property Details for Parcel R8163170210

- [Main Page](#)
- [Property Search](#)
- [Online Map](#)
- [Contact Us](#)
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- [Help Index](#)
- [FAQ](#)
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- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 4.700
 Zone Code: RR
 Primary Code Area: 270 [Tax Districts](#)
 Group Type: SUB
 Subdivision: STILLWELL ESTATES NO 03
 Section: 5N1E29

Property Description

PAR #0210 OF LOT 5 BLK 3
 STILLWELL ESTATES NO 3
 #99062769 #9306288 #8567003



Property Address

725 W STILLWELL DR
 EAGLE, ID 83616

[Click to View Interactive Map](#)

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- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method	Code Area
Primary	150-RES SUB LOT	4.700	\$137,500	MARKET	270
Primary	370-RES IMPROVEMENT	0.000	\$199,000	COST	270

Total Assessed Value: \$336,500

Parcel Valuation History

Assessed value for year 2004 \$336,500
 Assessed value for year 2003 \$324,000
 Assessed value for year 2002 \$307,600
 Assessed value for year 2001 \$247,600
 Assessed value for year 2000 \$223,900

Property Characteristics

Residential
 Land

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Residential**Land****Residential Characteristics 1 for Parcel "R8163170210"**

Occupancy Date:	No Date Available
Year Built:	1979
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	3
Number Bathrooms:	3.0
Number of Fireplaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	672
Car Storage Sq Ft #2:	1050
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	796
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	3468
Main Floor Sq Ft:	1858
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	1098
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	512
Unfinished Attic Sq Ft:	0

Assessor Links

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- [Administration](#)
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- [Appraisal](#)
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- [Motor Vehicles](#)
- [Levy Rates](#)

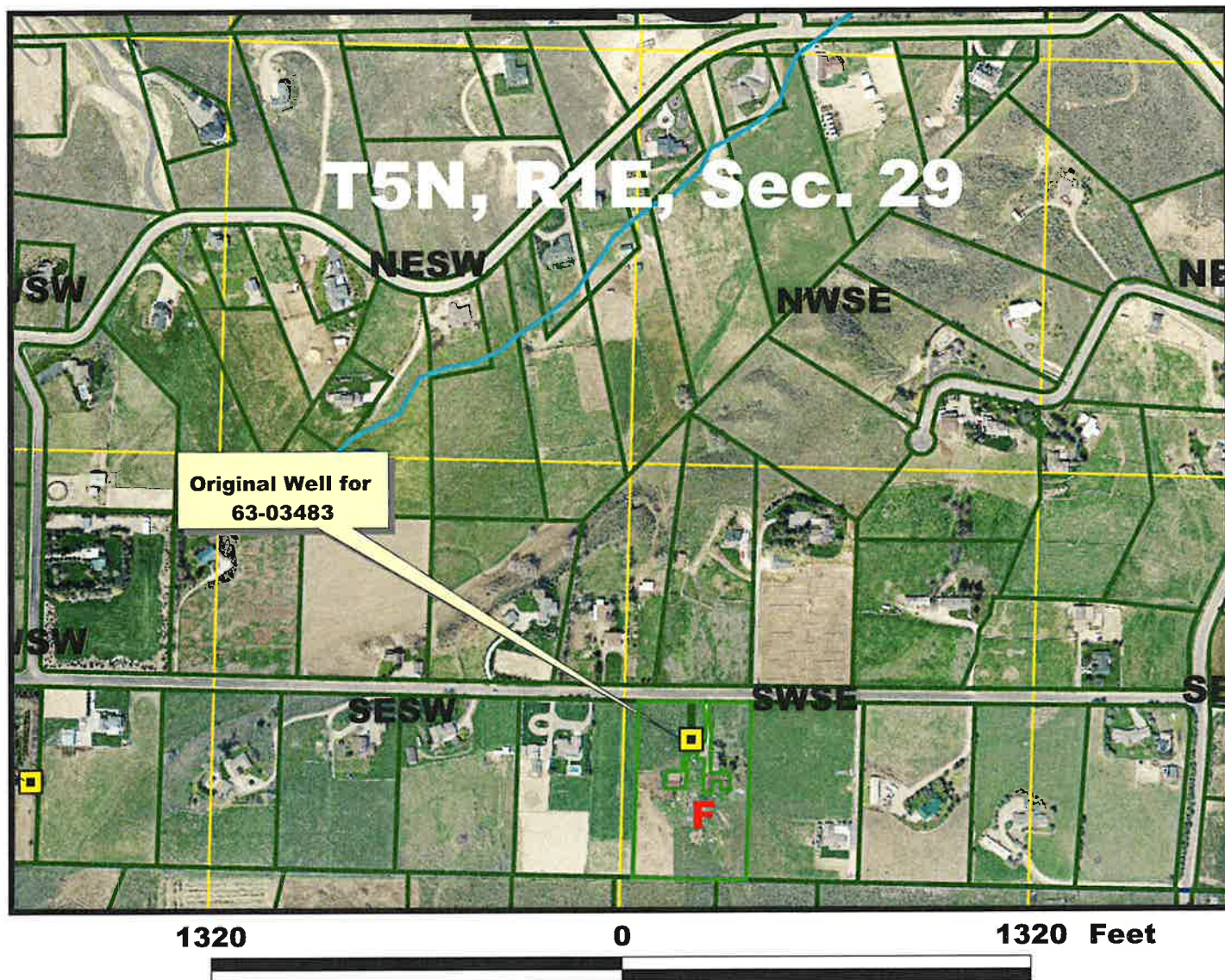
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63-03483F POU & POD Claim Map 2003 Photography



☐ Claimed Point of Diversion

▭ Claimed Place of Use

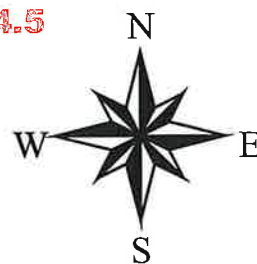
▭ Ada County Tax Lot Data

▭ Quarter Quarter Lines

▭ Section Lines

Total Claimed Acres: 4.5

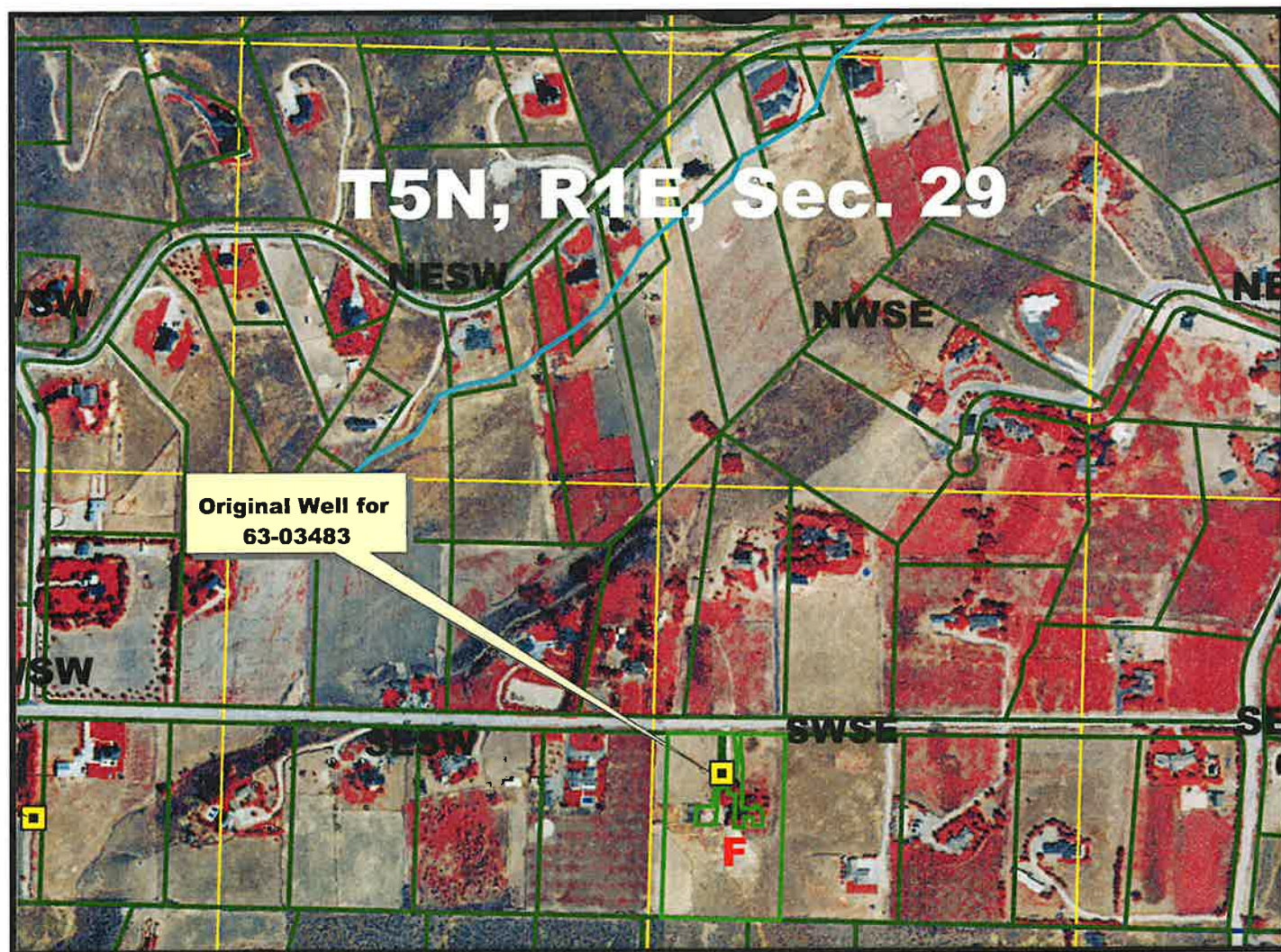
Initial Review found acres: 4.5



Prepared by: C. Saxton
Date: January 2005



63-03483F POU & POD Claim Map 2000 Photography



1320

0

1320 Feet



Claimed Point of Diversion



Claimed Place of Use



Ada County Tax Lot Data



Quarter Quarter Lines



Section Lines

Total Claimed Acres: 4.5

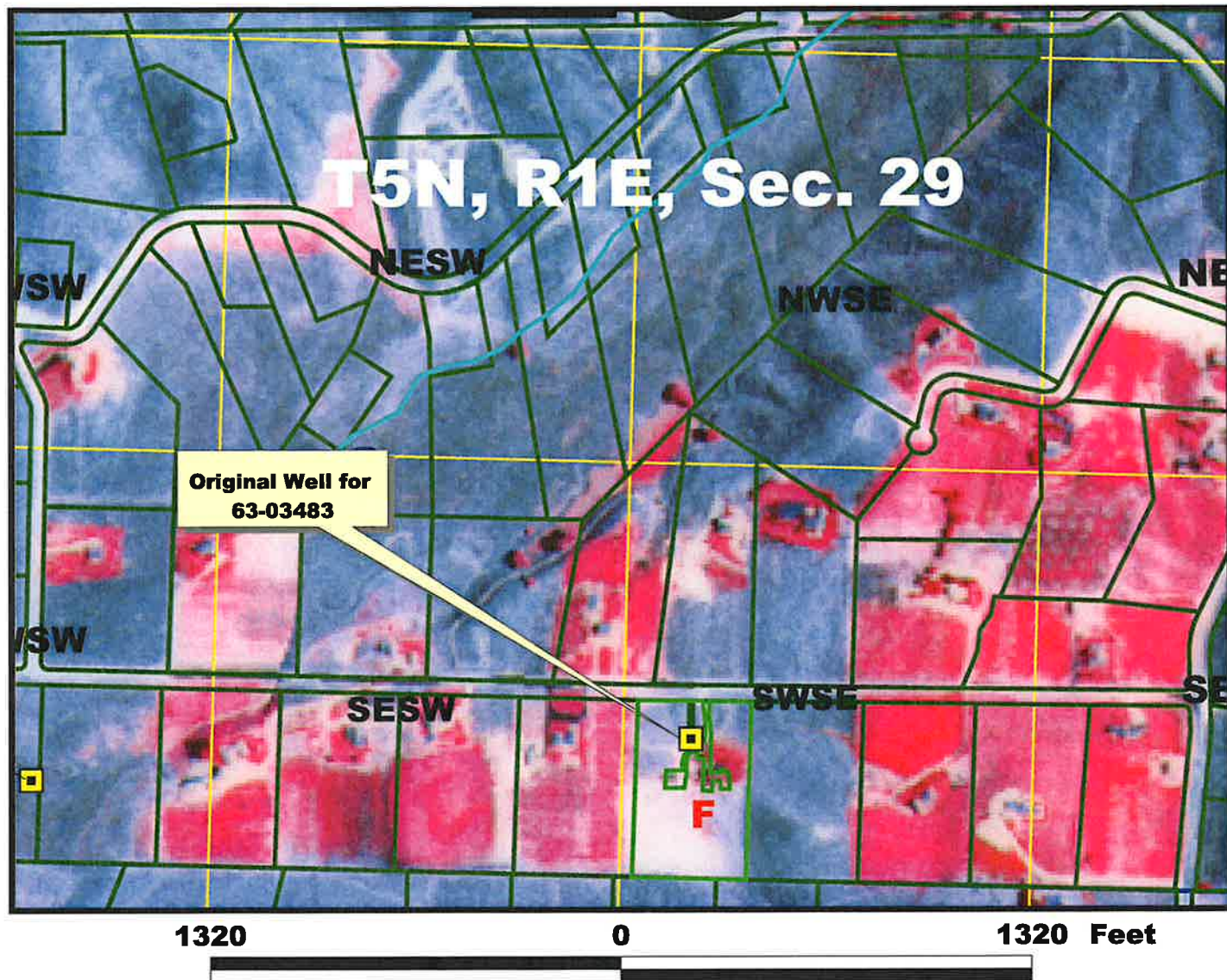
Initial Review found acres: 4.5



Prepared by: C. Saxton
Date: January 2005



63-03483F POU & POD Claim Map 1987 Photography



■ Claimed Point of Diversion

□ Claimed Place of Use

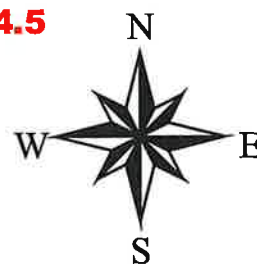
□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: 4.5

Initial Review found acres: 4.5



Prepared by: C. Saxton
Date: January 2005

Receipt Details for ID C011178

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/7/1989 2:32:44 PM	9/7/1989	State	\$55.00	Check
Payer		TOM NAYLOR'S CHEVERON		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4542			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$55.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3483	F	\$55.00	Claim

[Print Report](#)

AFFIDAVIT

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-3483F)
)
)

State of Idaho)

County of ADA)

Donna Metze

being first duly sworn,

deposes and says: To the best of my knowledge
the well is the original well ~~built~~^{on} and
was drilled when the home was
built in 1979. The property has
been irrigated since that time,
with this well.

Donna Metze
(Signature)

Subscribed and sworn to before me this

3rd day OCT of _____, 2002.

Ron Howerton
(Notary Public)

Residing at _____

Ron Howerton

Residing at Boise, Idaho

My Commission Expires December 8, 2006

My Commission Expires _____



QWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: A63-03483 F Date: 8-23-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	5N	1E	29															45		4.5
GIS																		45		4.5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 4.5

Overlapping POU Claim #'s:

Total GIS Acres: 4.5

COMMENTS:

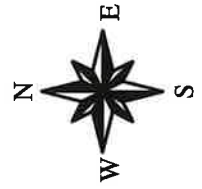
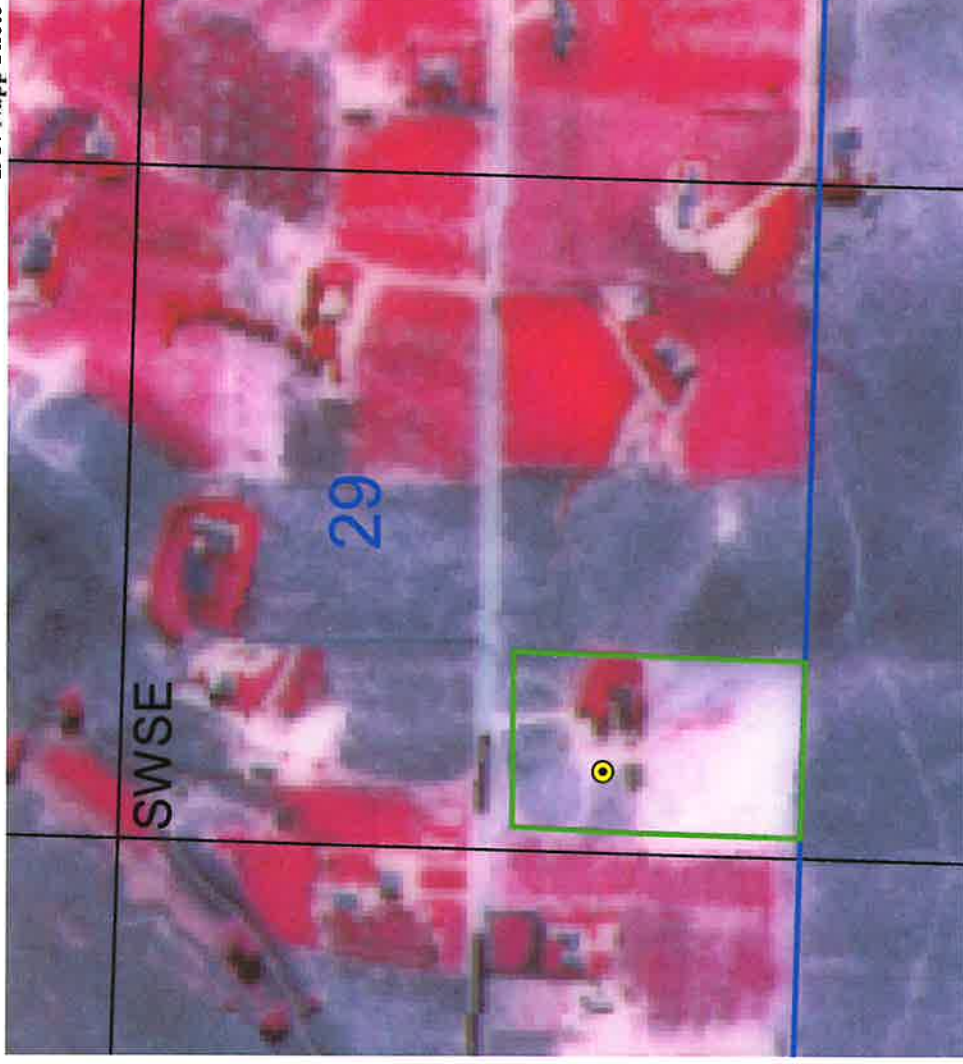
per claim map and county data

Idaho Department of Water Resources

Claim Number: 63-03483F
Legal: T05N, R01E, S29
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

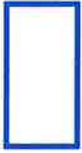
1987 Napp Photo

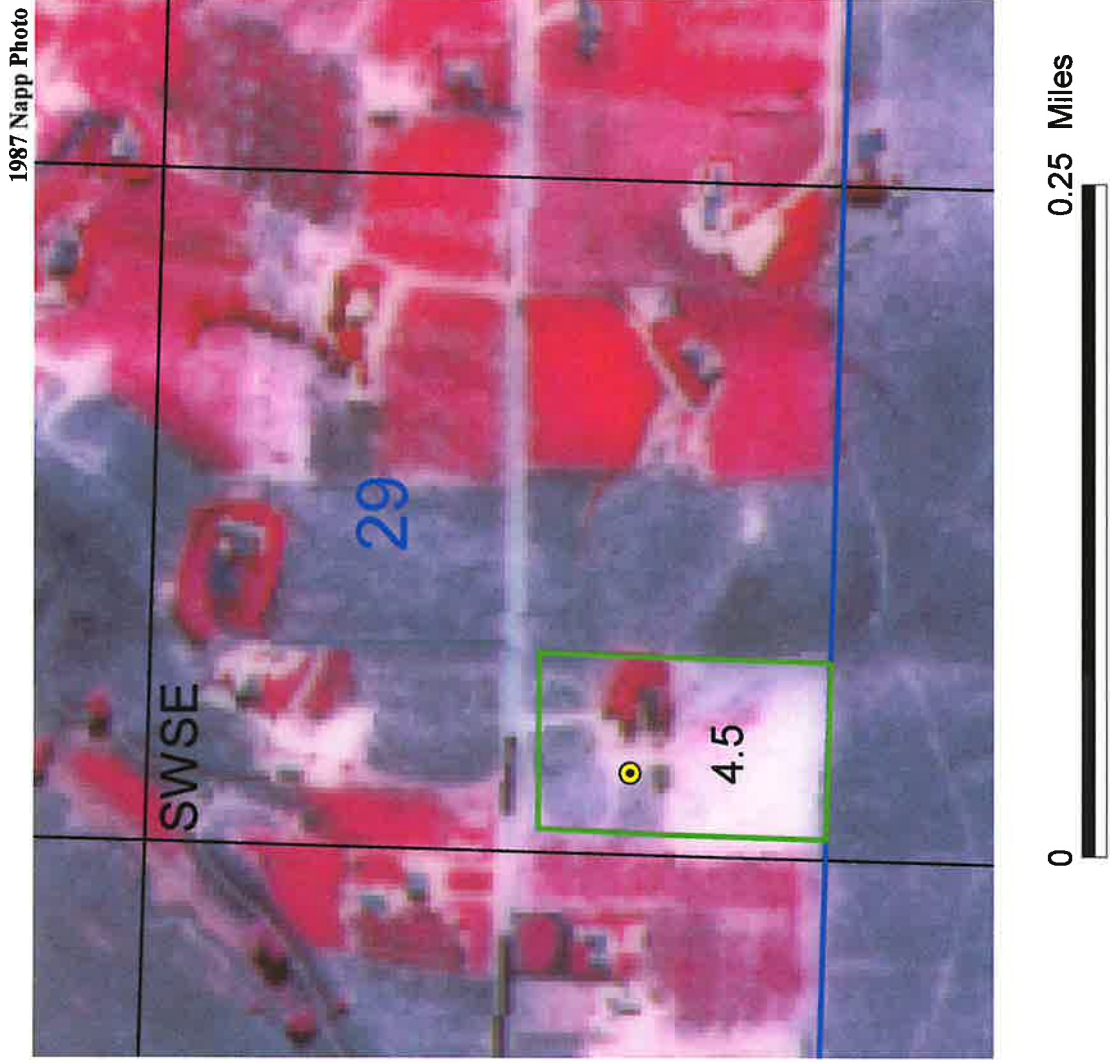
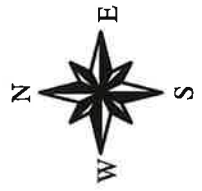


0 0.25 Miles

Idaho Department of Water Resources

Claim Number: 63-03483F
Legal: T05N, R01E, S29
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



05/31/2005 RECEIVED

JUL 18 2005

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-3483F

RICHARD METZER
725 W STILLWELL DR
EAGLE ID 83616
Telephone Number: (208)938-2727

DONNA METZER
725 W STILLWELL DR
EAGLE ID 83616
Telephone Number: (208)938-2727

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation: *The well Location on the photo is located in the wrong place on the property. I have marked the correct location on the property.*

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 7-7-05 SIGNATURE: Richard E. Metzger
Please print your name: Richard E. Metzger

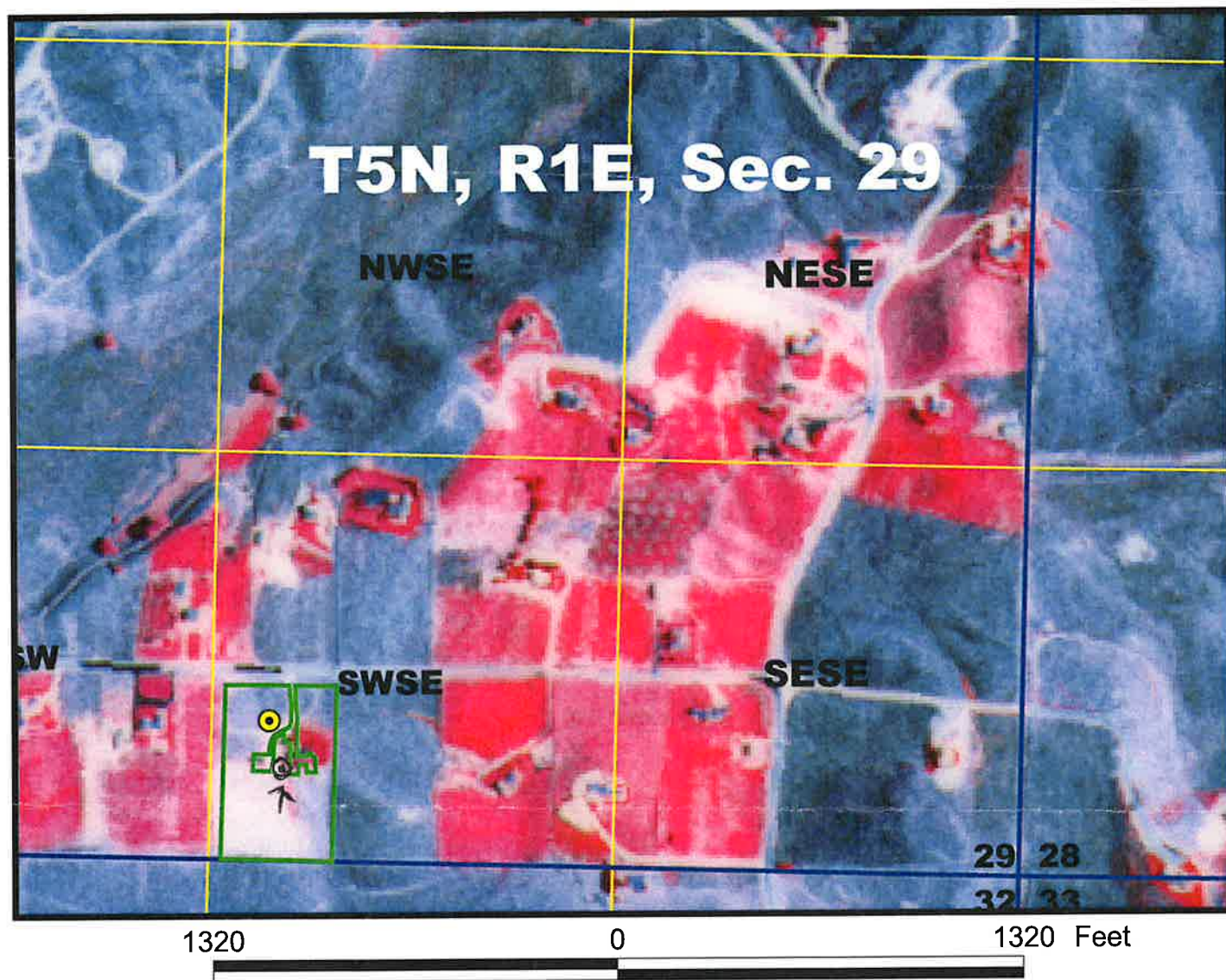
IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



STATE OF IDAHO

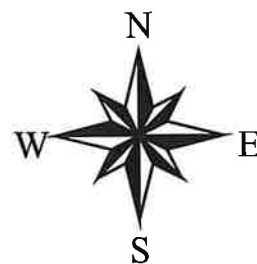
Department of Water Resources
Western Region

Water Right(s): 63-03483F



Total Irrigated Acres: 4.5

-  Point of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



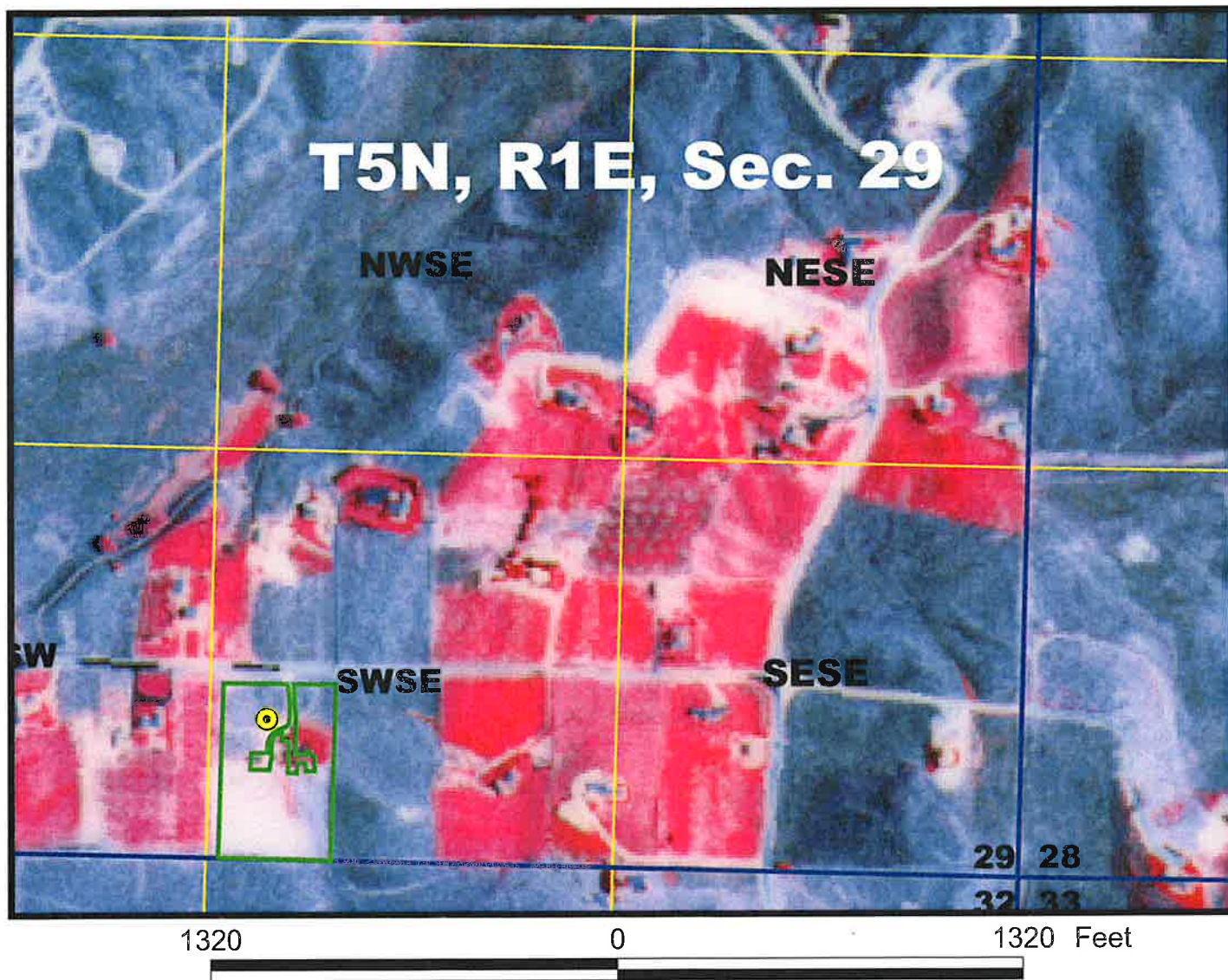
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: February 2005



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-03483F



Total Irrigated Acres: 4.5



Point of Diversion



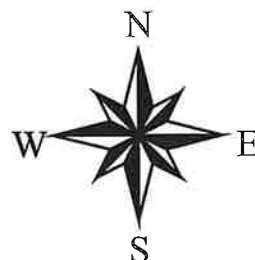
Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: February 2005



WARRANTY DEED

For Value Received

Kristie A. Naylor, also shown of record as Krisie Naylor, an unmarried woman

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Donna J. Metzger and Richard E. Metzger, husband and wife

hereinafter referred to as Grantee, whose current address is

725 W. Stillwell Drive, Eagle, ID 83616

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

FIRST AMERICAN

RECORDED - REQUEST OF

Dated: June 21, 1999.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

Kristie A. Naylor
Kristie A. Naylor

1999 JUN 23 PM 4:23

FEE 6.00 DEPUTY NY
99062769

STATE OF IDAHO)

SS.

COUNTY OF Ada)

On This 23rd day of June, in the year 1999, before me, a Notary Public in and for said State, personally appeared Kristie A. Naylor, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that she executed the same.



Rita J. Turrittin

Notary Public of Idaho
Residing at Meridian

Commission expires: 9/26/2002