

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-19256

WATER RIGHT NUMBER: 63-19256

<u>Owner Type</u>	<u>Name and Address</u>
Previous Owner	MARIANNE WILLIAMS 914 HOUSTON RD BOISE, ID 83706 (208)880-7367
Previous Owner	LARRY WILLIAMS 914 HOUSTON RD BOISE, ID 83706 (208)880-7367
Current Owner	BENITA MURGOITIO 2611 S GROOM WAY MERIDIAN, ID 83642

Priority Date: 06/01/1940

Basis: Decreed

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>
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
	Total Diversion:	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SE1/4NW1/4 Sec. 29, Twp 05N, Rge 04W, B.M.
CANYON County

Place of Use

DOMESTIC

[illegible]

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-19256

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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. STOCKWATER, 100 RANGE CATTLE PARCEL NO. 2R 38507 PROPERTY ALSO KNOWN AS 25592 DON LANE, PARMA.

Remarks:

Comments:

1. AJU10-DS 6/22/2000 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Water Supply Bank:

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 (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
63-19256	63-5277				

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) 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)

Larry and Marianne Williams
 914 Houston Rd.
 Boise, ID 83704

4. New Owner/Claimant(s) Benita
Murgaitis

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2611 S. Groom Way

City, State and ZIP Code

Meridian, ID 83642

New Telephone Number

() 208-362-2385

5. Date you acquired the property

March 19, 2004

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) Begita Murgatis
(include title if applicable)

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



Well Locations
Canyon County, ID

1. Irrigation Well
2. Domestic Well





IN THE MATTER OF)
 NOTICE OF CLAIM TO)
 A WATER RIGHT NO.(S))
 Claim No. 63-5277)
 Water Right 63-19256)
 State of Idaho)
 County of Canyon)

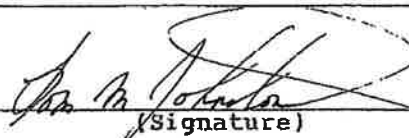
AFFIDAVIT

I, Tom Johnston

deposes and says: this claim reflects a drainage well drilled around June 1, 1940. It is located approximately 1/4 mile North of Highway 20/26 and 1/4 mile East of Lon Davis Road in Canyon County. As a 4th generation farmer and adjacent landowner, I have personal knowledge and observed the use of this well for water on the property where it is located.

The water has been used for irrigation purposes.

There is also a domestic well located at 25529 Don Lane, Parma, on this farm of approximately 108 acres.



(Signature)

Tom Johnston
 22410 Ten Davis Road
 Parma, ID 83660
 (208-722-6224)

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: A63-19256
Date Received: 10/19/1989
Receipt No: C012393
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY WILLIAMS 208-383-0000
Address: 914 HOUSTON RD.
BOISE, ID 83706

OR
Name: MARIANNE WILLIAMS 208-383-0000
Address: 914 HOUSTON RD.
BOISE, ID 83706

2. Date of Priority: JUN 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	04W	29	NW	SE	NW		CANYON

5. Description of diverting works:
DRILLED WELL WITH PUMP & PIPELINE TO HOUSE, LAWN, GARDEN, STKTKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOUSEHOLD, LAWN & GARDEN, STKWTR. UP TO 100 HD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04W	29	SE	NW		DOMEST	
			SE	NW		STOCK	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 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): *[Signature]* Date: 10/19/89

Date: _____

State of Idaho)
County of AOA) SS.

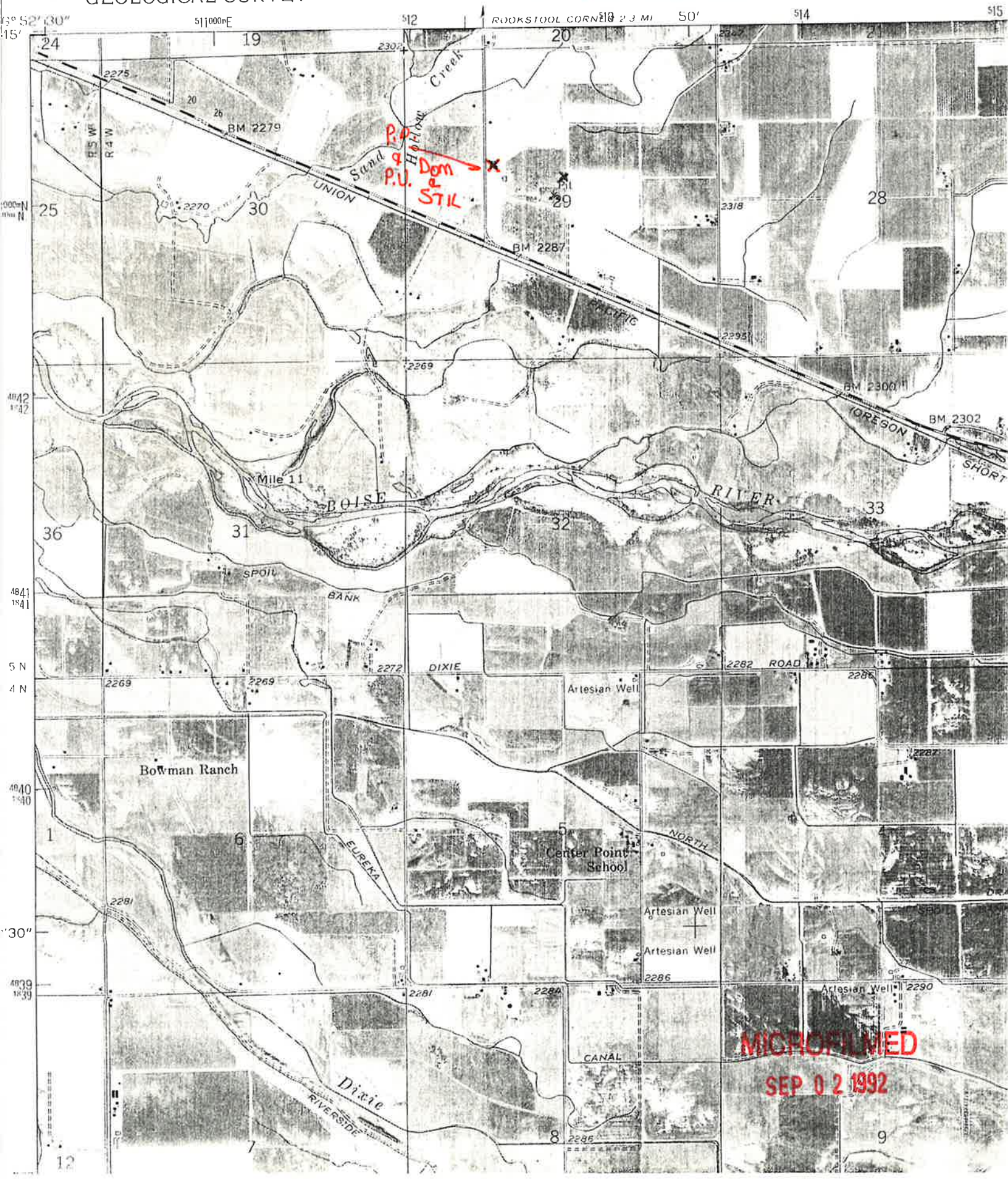
Subscribed and sworn (or affirmed) before me this 19th day
of Oct. 19 89 *[Signature]*
Notary Public

Seal

Residing at BOISE, ID
My Commission Expires 11/08/1994

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

T 5N R 04W Sec 29



MICROFILMED
SEP 02 1992

RECEIVED

JUN 04 2007

DEPARTMENT OF
WATER RESOURCES

April 23, 2006

Lori Graves, Sr. Water Resource Agent
Department of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705-50821

RE: Notice of Claim No: 63-5277
Water Right 63-19256

Dear Lori:

Attached is the information necessary to show the change of ownership for the claim and right shown above. I have enclosed the following:

- 1) Notice of Change in Water Right Ownership
- 2) Personal Representative's Deed that reflects the transfer of ownership of such property from the estate of Marie Odiaga to myself, Benita R. Murgoitio. Marie purchased the property from the Williams in 1998.
- 3) FSA Aerial Photo, showing location of irrigation well and domestic well.
- 4) Affidavit from Tom Johnston regarding wells and use.

If you need additional information, please contact my sister, Carol Ann Murgoitio, at 208-941-2436. Carol handles my affairs in relationship to this property and she has authority to act on my behalf.

Thank you so much for all your help!



Benita R. Murgoitio



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 10, 2006

BENITA MURGOITIO
6833 AMITY RD
BOISE ID 83709

**RE: NOTICE OF CLAIM NO: 63-5277
WATER RIGHT 63-19256**

Dear Mrs. Murgoitio:

We are currently preparing the Notice of Claim for the Director's Report in the Snake River Basin Adjudication for claim 63-5277. Enclosed is a computer printout of the claim for your reference and also accompanying domestic water right 63-19256. Our research indicates there may have been a change in the ownership for the claim and right. Idaho Department of Water Resources (IDWR) records currently show the following name and address as the owner of the records listed above:

**LARRY AND MARIANNE WILLIAMS
914 HOUSTON RD
BOISE ID 83706**

The Idaho statutes require that (IDWR) be informed of a change in water right ownership within 120 days of the property transaction. If you purchased the property referenced in this letter, please fill out the change in ownership form and send it with the required documentation to my attention at 2735 Airport Way, Boise ID 83705. If no response is received from you, all further legal notices concerning the records will be sent to the name and address of the original claimant shown above. Please call me at (208) 334-2190 if you have questions.

Sincerely,

Lori Graves
Sr. Water Resource Agent

Enclosures

WATER RIGHT NUMBER - A63-19256

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
WILLIAMS

LARRY

1 - 914 HOUSTON RD.
2 -
3 -

STATE- ID ZIP- 83706

WILLIAMS

MARIANNE

CITY- BOISE
PHONE - 208-383-0000
1 - 914 HOUSTON RD.2 -
3 -

STATE- ID ZIP- 83706

CITY- BOISE
PHONE - 208-383-0000+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
06/01/1940 14 WESTERN J - BENEFICIAL USE+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
05N 04W 29 NW SE NW (27) CANYON+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.030+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
05N 04W 29 SE NW 04 STOCKWATER (27) CANYON
05N 04W 29 SE NW 43 DOMESTIC (27) CANYON

+ - - DIVERSION MEANS - DRILLED WELL WITH PUMP & PIPELINE TO HOUSE,LAWN,GARDEN,STKTKS.

+ - - NON-IRRIGATION USE - DOMESTIC 1 HOUSEHOLD,LAWN & GARDEN,STKWTR.UP TO 100 HD.

+ - - OTHER RIGHTS FOR SAME USE - N/A

+ - - - - - REMARKS - - - - - +
NO REMARKS FOUND.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A63-19256

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 10/19/89 LUTHY

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 10/19/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C012393	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR		

2R38507

25592 Don Lane, Parma

DATA ENTRY

ENTERED

CHECKED

7H 228

"Verified By"
Topo Map/Ortho-PQ
AEGIS Map
Watermeter Records
NAIP Photos
Field Exam
Other (See Remarks)
County
Water Right
Preliminary
IDWR Records

VERIFIED
FEB 14 1993

CERTIFIED
FEB 23 1993
WATER EXAMINER