

12/10/2006

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

RIGHT NUMBER: 63-32574

NAME AND ADDRESS: EARL D HODGES
3727 E LAKE HAZEL RD
MERIDIAN ID 83642

TRACEY E HODGES
3727 E LAKE HAZEL RD
MERIDIAN ID 83642

SOURCE: TENMILE CREEK

TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 0.280 CFS

PRIORITY DATE: 03/01/1952

POINT OF DIVERSION:

T02N R01E S4 NENW Lot 3 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.280 CFS

PLACE OF USE: IRRIGATION in ADA County

T02N R01E S04 Lot 3 NENW 14.00

14 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: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 63-4607A.

Water Right(s)

63-32574

IDAHO DEPT OF WATER RESOURCES

1987 Photography

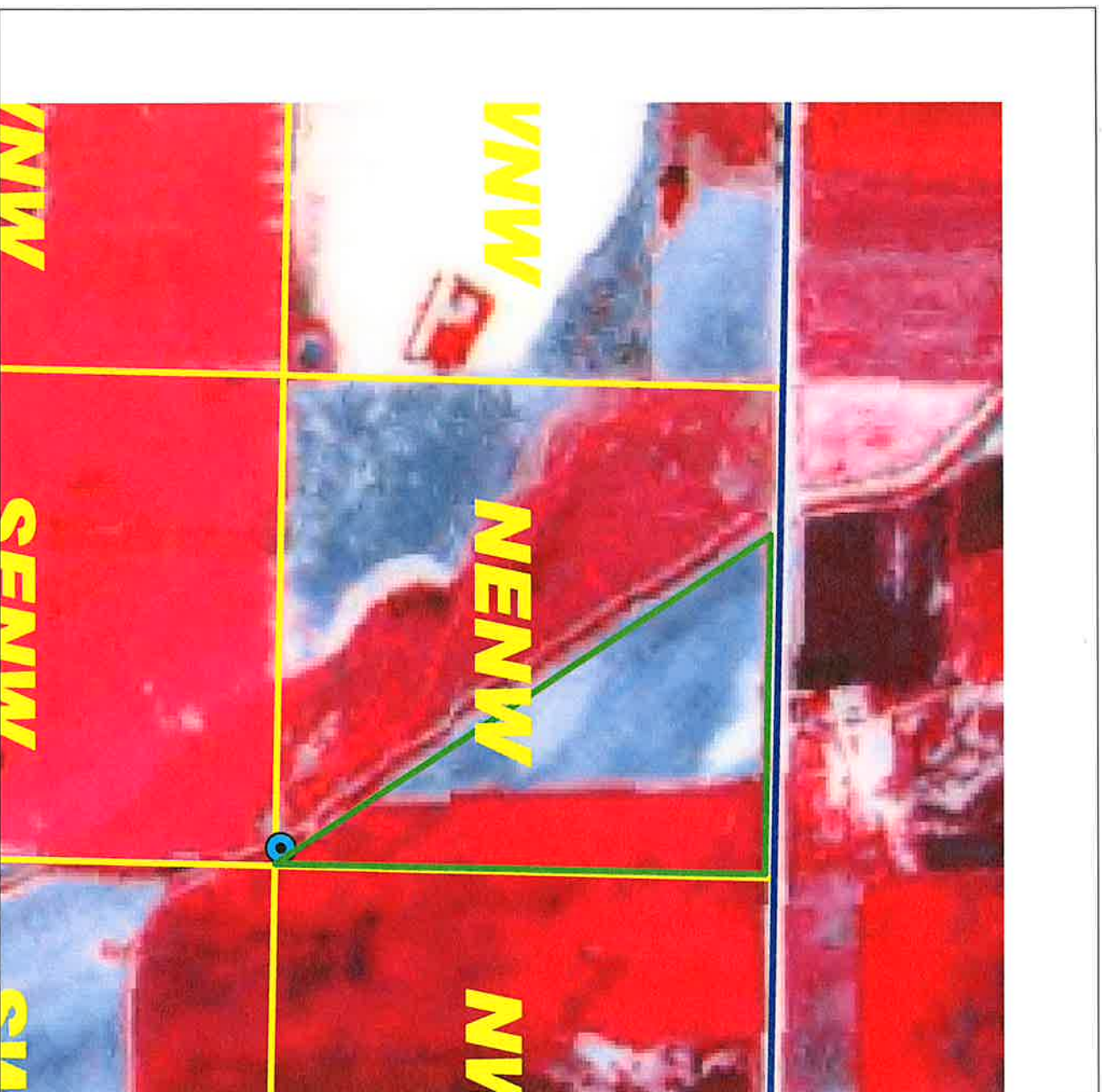
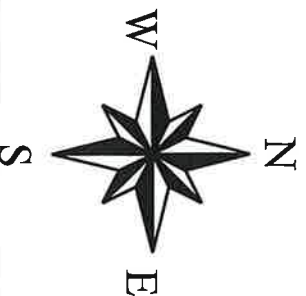
Date: December, 2006

● Pt of Diversion

Place of Use

114114 Lines

Section Lines



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 63-32574
Date Received: 2/27/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

EARL D HODGES Phone: (208)362-2550

3727 E LAKE HAZEL RD
MERIDIAN ID USA 83642

TRACEY E HODGES Phone: (208)362-2550

3727 E LAKE HAZEL RD
MERIDIAN ID USA 83642

2. Date of Priority: 03/29/1947

3. Source: TENMILE CREEK Trib. to: FIFTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	01E	4	NW SE	ADA	

5. Description of diverting works:

GRAVITY FLOW, UNDERGROUND PIPE, HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	0.38	

7. Total Quantity Appropriated is:
0.38 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	
02N	01E	4	NE	NW	3	IRRIGATION	19
Section Acres							19
Total Acres							19

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:

THIS CLAIM IS A RESULT OF A CHNAGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-04607, FEE PAID UNDER RECEIPT NO. W002310.
10/06/1994 MM.
OWNERSHIP CHANGED 11/21/1994 BY MM.

This right is a split from former right 63-4607A.

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 _____ 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): _____ Date: _____

_____ Date:

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

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 63-32574
Date Received: 2/27/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

EARL D HODGES Phone: (208)362-2550
3727 E LAKE HAZEL RD
MERIDIAN ID USA 83642

TRACEY E HODGES Phone: (208)362-2550
3727 E LAKE HAZEL RD
MERIDIAN ID USA 83642

2. Date of Priority: 03/29/1947

3. Source: TENMILE CREEK Trib. to: FIFTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	01E	4	NW SE	ADA	

5. Description of diverting works:

GRAVITY FLOW, UNDERGROUND PIPE, HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	0.38	

7. Total Quantity Appropriated is:
0.38 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
02N	01E	4	NE NW	3	IRRIGATION	19
					Section Acres	19
					Total Acres	19

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:

THIS CLAIM IS A RESULT OF A CHNAGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-04607, FEE PAID UNDER RECEIPT NO. W002310.

10/06/1994 MM.

OWNERSHIP CHANGED 11/21/1994 BY MM.

This right is a split from former right 63-4607A.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 JUN 15 2004
 WATER RESOURCES
 WESTERN REGION

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
	63-4007	A			

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)

EARL & TRACEY HODGES
3727 E LAKE HAZEL, MERIDIAN, ID 83642

4. New Owner/Claimant(s)

MARK OR JUNIE WINTON

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

New Mailing Address

3727 E LAKE HAZEL RD

City, State and ZIP Code

MERIDIAN, ID 83642

New Telephone Number

808 362-4366

5. Date you acquired the property

1998

SPLIT INTO 63-32574 & 63-32575

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	<u>63-4607A</u>	
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	<u>.52 CFS</u>	<u>26 ACRES</u>
Stock	<u>.05 CFS</u>	<u>160 HD STOCK</u>
Domestic		
Other		
Total	<u>.52 CFS</u>	

Handwritten notes: "Here", "me stock on claim 7"

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)

WTC R. White
Julie Winston

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 [Signature] Date 6-15-04 Fee N/A
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



Robert H. McQuade
Ada County Assessor
 200 West Front Street
 Boise, ID 83702-7300
 adacountyassessor.org

2004

**ASSESSMENT NOTICE
 & ESTIMATE OF TAX**

**THIS IS NOT A BILL.
 DO NOT PAY.**

For any questions, please notify the Assessor's Office immediately

PARCEL DESCRIPTION:
 PAR #2550 OF GOVT LOT 3
 NE4NW4
 SEC 4 2N 1E
 #212515-B
 #97034191

Assessor's Telephone Number: (208) 287-7236

Parcel Address: 3727 E LAKE HAZEL RD
 MERIDIAN ID 83642

89438 S1404212550 *****5-DIGIT SCH 83642



WINTON MARK L
 WINTON JULIE A
 3727 E LAKE HAZEL RD
 MERIDIAN ID 83642-7207

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 28, 2004

Tax Code Area: 148

Parcel Number: S1404212550

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
IRRIGATED AG	16.082	17,100	16,700
SUBTOTAL:	16.082	17,100	16,700
LESS HOMEOWNERS EXEMPTION:		0	0
NET TAXABLE PROPERTY VALUE:		17,100	16,700

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
ADA COUNTY	47.88	46.76	(208) 287-7000	6-16-2004
PEST EXTERMINATION	1.78	1.74	(208) 888-2316	6-16-2004
EMERGENCY MEDICAL	2.09	2.05	(208) 375-7048	6-16-2004
ADA COUNTY HIGHWAY DIST	17.29	16.89	(208) 387-6120	8-25-2004
SCHOOL DISTRICT NO. 2	107.89	105.36	(208) 855-4500	6-15-2004
ADA COMMUNITY LIBRARY	10.34	10.09	(208) 362-0181	8-17-2004
KUNA FIRE	20.08	19.61	(208) 922-4546	8-11-2004
MOSQUITO ABATEMENT	0.51	0.50	(208) 362-1440	6-16-2004
SUBTOTAL:	207.86	203.00		
FEES:				
TOTAL PROPERTY TAXES & FEES:	207.86	203.00		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details

TAX EST DOES NOT INCLUDE ADDITIONAL CERTIFICATIONS AND FEES.
 NEWLY ANNEXED AREAS--SEE 2003 TAX BILL FOR LAST YEARS TAXES.

0103497

**Robert H. McQuade****Ada County Assessor**

200 West Front Street

Boise, ID 83702-7300

adacountyassessor.org

2004

**ASSESSMENT NOTICE
& ESTIMATE OF TAX****THIS IS NOT A BILL.
DO NOT PAY.**

PARCEL DESCRIPTION:
 PAR#2750 OF GOVT LOT 3
 NE4NW4 R/S #1867
 SEC 4 2N 1E
 #212515-S
 #98118438 #97032440

For any questions, please notify the Assessor's Office immediately

Assessor's Telephone Number: (208) 287-7236

Parcel Address: 3727 E LAKE HAZEL RD
MERIDIAN ID 83642

89437 S1404212750 *****5-DIGIT SCH 83642



WINTON MARK
 WINTON JULIE
 3727 E LAKE HAZEL RD
 MERIDIAN ID 83642-7207

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 28, 2004

Tax Code Area: 148

Parcel Number: S1404212750

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
IRRIGATED AG HOMESITE ON AG RES IMPROVEMENT	8.981 1.000	9,500 63,600 222,300	9,300 90,000 171,500
SUBTOTAL: LESS HOMEOWNERS EXEMPTION: NET TAXABLE PROPERTY VALUE:	9.981	295,400 -50,000 245,400	270,800 -50,000 220,800

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
ADA COUNTY	687.16	618.27	(208) 287-7000	6-16-2004
PEST EXTERMINATION	25.57	23.01	(208) 888-2316	6-16-2004
EMERGENCY MEDICAL	30.05	27.04	(208) 375-7048	6-16-2004
ADA COUNTY HIGHWAY DIST	248.19	223.31	(208) 387-6120	8-25-2004
SCHOOL DISTRICT NO. 2	1,548.26	1,393.06	(208) 855-4500	6-15-2004
ADA COMMUNITY LIBRARY	148.34	133.47	(208) 362-0181	8-17-2004
KUNA FIRE	288.16	259.28	(208) 922-4546	8-11-2004
MOSQUITO ABATEMENT	7.30	6.56	(208) 362-1440	6-16-2004
SUBTOTAL:	2,983.03	2,684.00		
FEES:				
TOTAL PROPERTY TAXES & FEES:	2,983.03	2,684.00		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details

TAX EST DOES NOT INCLUDE ADDITIONAL CERTIFICATIONS AND FEES.
 NEWLY ANNEXED AREAS--SEE 2003 TAX BILL FOR LAST YEARS TAXES.

0103496

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDA
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: A63-04607A
Date Received: 2/27/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: EARL D HODGES 208-362-2550
Address: 3727 E LAKE HAZEL RD
MERIDIAN ID 83642

OR

Name: TRACEY E HODGES 208-362-2550
Address: 3727 E LAKE HAZEL RD
MERIDIAN ID 83642

2. Date of Priority: MAR 29, 1947

3. Source: TENMILE CREEK Trib. to: FIFTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	4	NW	SE			ADA

5. Description of diverting works:
GRAVITY FLOW, UNDERGROUND PIPE, HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.700		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01E	4	NE NW	3	IRR	35.0
Section Acres						35.0
Total Acres						35.0

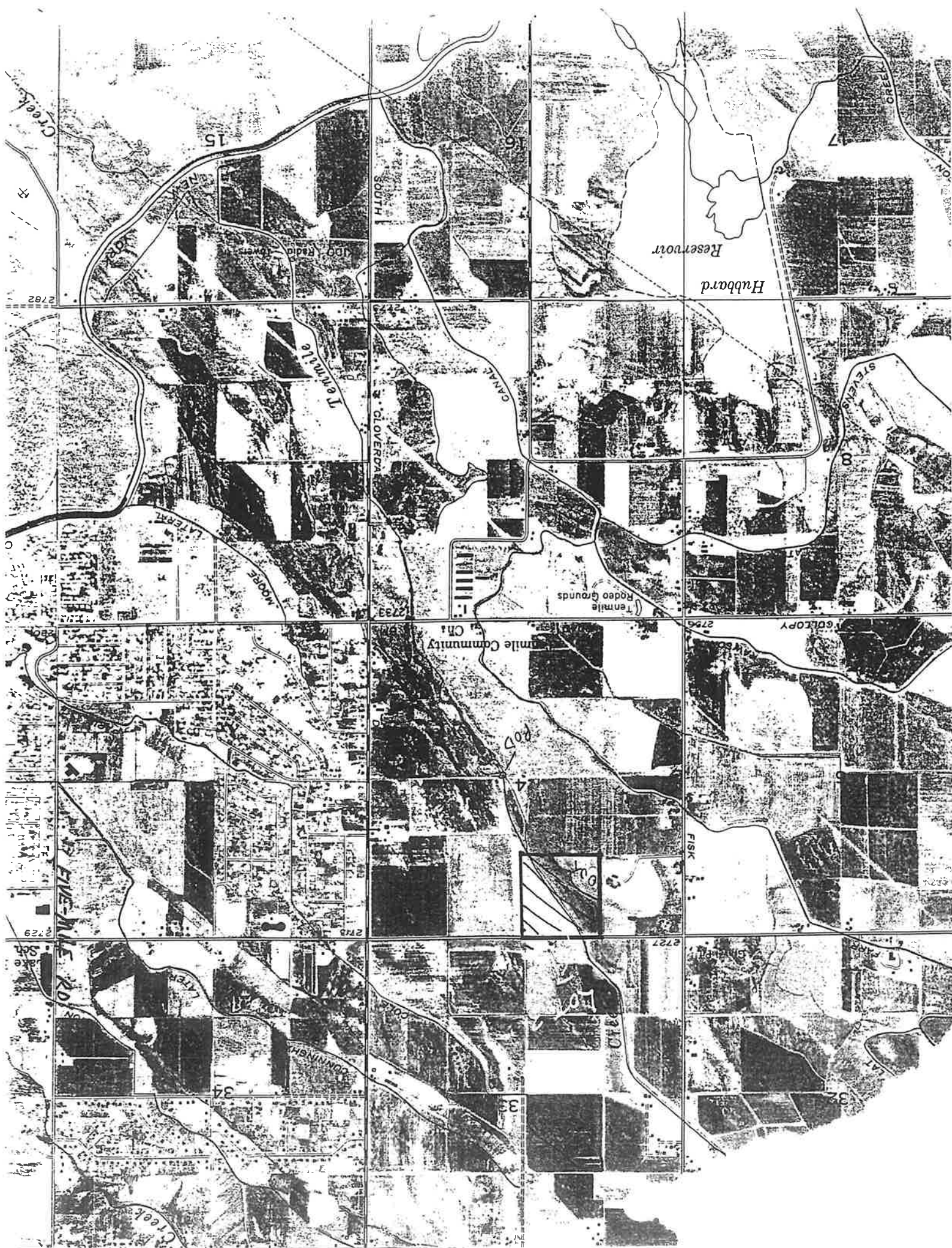
11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NEW YORK IRRIGATION DISTRICT

14. Remarks:
THIS CLAIM IS A RESULT OF A CHNAGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. A63-04607, FEE PAID UNDER RECEIPT NO. W002310.
10/06/1994 MM.
OWNERSHIP CHANGED 11/21/1994 BY MM.

15. Basis of Claim: STATUTORY CLAIM



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: A63-04607
Date Received: 2/27/1989
Receipt No: W002316
Received By: RLH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN D. HODGES 208-362-9364
Address: 6701 S. CLOVERDALE RD.
BOISE, ID 83709

OR

Name: DOLORES D. HODGES 208-362-9364
Address: 6701 S. CLOVERDALE RD.
BOISE, ID 83709

2. Date of Priority: MAR 29, 1947

3. Source: TENMILE CREEK Trib. to: FIFTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	4	NW	SE			ADA

5. Description of diverting works:
GRAVITY FLOW, UNDERGROUND PIPE, HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	01E	4	NW		NE		IRR	40.0
			SW		NE		IRR	25.0
			NE		NW		IRR	35.0
							Section Acres	100.0
							Total Acres	100.0

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:
NEW YORK IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Melvin D. Hodges Date: 2-27-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of FEB 19 89

Ron Hovet
Notary Public

Seal

Residing at Boise, Idaho 83703
My Commission Expires 12-8-94

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A63-04607A)

State of Idaho)
County of Ada)

AFFIDAVIT

RECEIVED

AUG 21 1995

**WATER RESOURCES
WESTERN REGION**

Melvin D. Hodges being first duly sworn,
deposes and says: In March 1952 we purchased
200 acres from W.O. Cunningham
water from Ten Mile Creek was
being used for Irrigation and Stock
water. I have continued to use
Irrigation and Stock water from
Ten Mile Creek from 1952 until
1993 when we sold the property.
The water is still being used
to the present time

Melvin D. Hedger
(Signature)

Subscribed and sworn to before me this
day 21st of August, 1995.

SEAL

Christy Kuhlman
(Notary Public)

Residing at Kuna, ID

My Commission Expires 1/10/2001.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 21, 1994

EARL D HODGES
TRACEY E HODGES
3727 E LAKE HAZEL RD
MERIDIAN ID 83642

RE: Notice of Claim to a Water Right No. A63-04607A

Dear Mr. and Ms. Hodges:

Enclosed is a copy of the above-referenced claim which reflects the change in ownership of the land and appurtenant water right to you.

You indicated during your visit to our office today that the point of diversion for your water right has been taken out by the new owners of the property at the point of diversion. It appears at this time that this is a private matter between property owners. A water right does not guaranty access or right of way privileges; any dispute regarding these issues is a private matter between the concerned parties.

An issue which you should be aware of concerns moving the point of diversion. If the point of diversion is put anywhere except its original location, an approved Transfer may be required from this Department. Please contact this office in the event that the point of diversion is moved from its exact original location.

If you have any additional questions or comments, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci

Water Agent, Adjudication Bureau

MM:m

Enc.

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: **A63-04607A**
Date Received: 2/27/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: EARL D HODGES 208-362-2550
Address: 3727 E LAKE HAZEL RD
MERIDIAN ID 83642

OR

Name: TRACEY E HODGES 208-362-2550
Address: 3727 E LAKE HAZEL RD
MERIDIAN ID 83642

2. Date of Priority: MAR 29, 1947

3. Source: TENMILE CREEK Trib. to: FIFTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	4	NW	SE			ADA

5. Description of diverting works:
GRAVITY FLOW, UNDERGROUND PIPE, HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.700		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01E	4	NE	NW	3	IRR	35.0
Section Acres							35.0
Total Acres							35.0

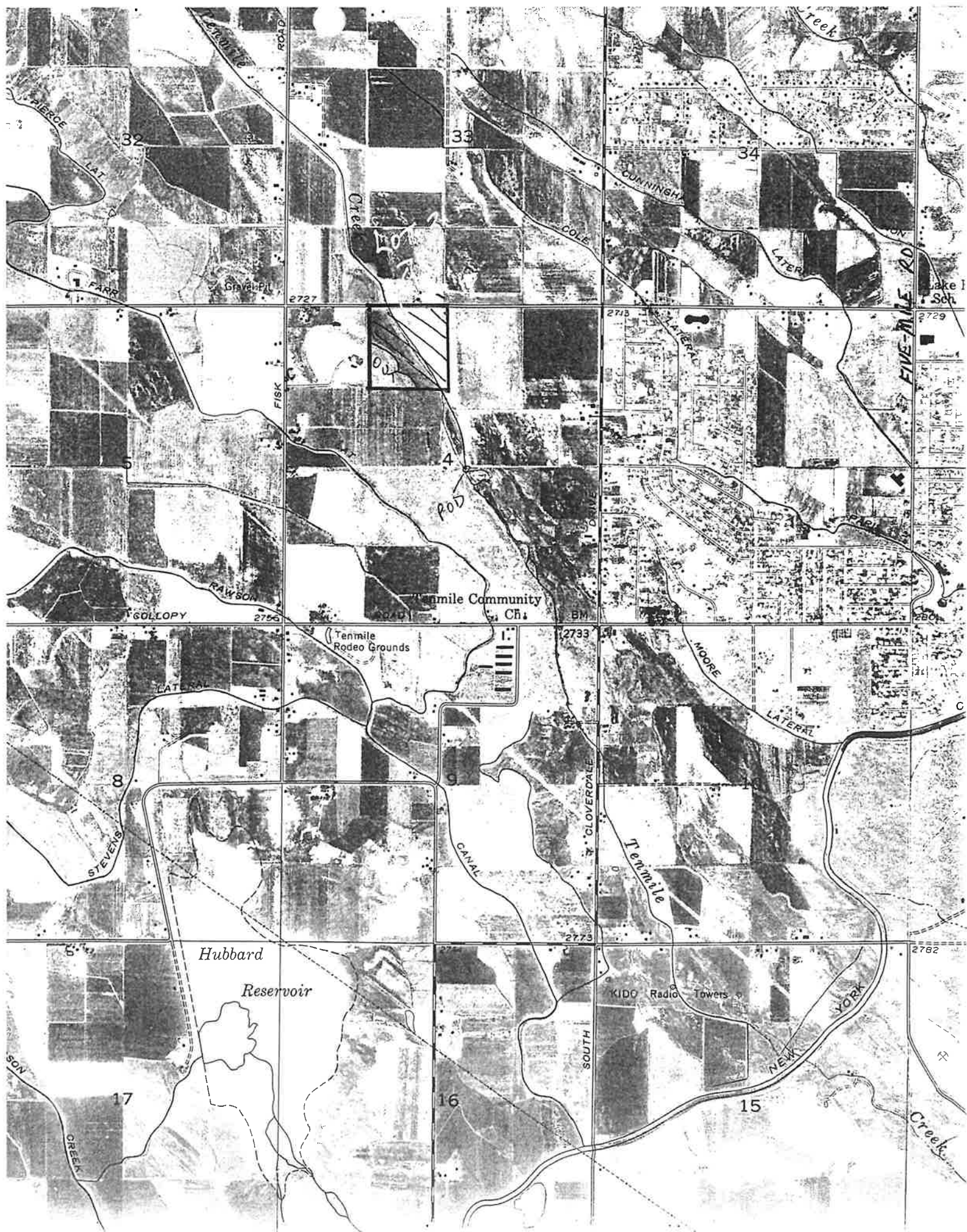
11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NEW YORK IRRIGATION DISTRICT

14. Remarks:
THIS CLAIM IS A RESULT OF A CHNAGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. A63-04607, FEE PAID UNDER RECEIPT NO. W002310.
10/06/1994 MM.
OWNERSHIP CHANGED 11/21/1994 BY MM.

15. Basis of Claim: STATUTORY CLAIM



35 ACRES

A63-04607A

X58 (1981)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

NOV 21 1994

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A63-04607A

☐ Name and Address of Former Owner/Claimant(s)(Seller): DOLORES D OR MELVIN D HODGES
6203 W LAKE HAZEL RD
NAMPA ID 83687

☐ New Owner/Claimant (Purchaser): EARL D OR TRACEY E HODGES

☐ New Mailing Address: 3727 E LAKE HAZEL RD
Meridian Id 83642

☐ New Telephone Number: (208) 362-2530

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Earl D Hodges Date 11-21-94

Date _____

☐ Signature of Former Owner/Claimant(s): Melvin D. Hodges Date 11-21-94

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: 11/21/1994 By: nm

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data Entry

Date: 11/21/1994 By: nm

Claim Numbers of Split, if any:

DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE, ID 83705-5082

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF TWIN FALLS

*See Illegal
Diversion file
for case info by
reviewing.
As per Lg*

OF IDAHO,

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: **A63-04607A**
Date Received: 2/27/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MELVIN D HODGES
Address: 6701 S CLOVERDALE RD
BOISE ID

83709

208-362-9364

OR

Name: DOLORES D HODGES
Address: 6701 S CLOVERDALE RD
BOISE ID

83709

208-362-9364

2. Date of Priority: MAR 29, 1947

3. Source: TENMILE CREEK

Trib. to: FIFTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	4	NW	SE			ADA

5. Description of diverting works:
GRAVITY FLOW, UNDERGROUND PIPE, HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.700		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	01E	4	NE	NW	3	IRR	35.0
Section Acres							35.0
Total Acres							35.0

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:
NEW YORK IRRIGATION DISTRICT

14. Remarks:
THIS CLAIM IS A RESULT OF A CHNAGE IN OWNERSHIP FOR A PORTION OF
CLAIM NO. A63-04607, FEE PAID UNDER RECEIPT NO. W002310.
10/06/1994 MM.

15. Basis of Claim: STATUTORY CLAIM



NOTICE

NEW PROPERTY OWNER
CHANGE OF WATER RIGHT C ERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 1-20-93

LEGAL DESCRIPTION OF PROPERTY: Township 2N Range 1E
 Section 4, 1/4 of S.W. 1/4 of N.E. 1/4, Govt. Lot 2, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
 Assigned by IDWR: A63-4607

☐ Name and Address of Former Owner/Claimant(s)(Seller):
Melvin Hodges
100. Lake Hazel Rd
Nampa Id.

☐ New Owner/Claimant (Purchaser):
Raise Ranch Golf Course Inc.

☐ New Mailing Address:
1501 S. Cloverdale Rd.
Reno Id. 83709

☐ New Telephone Number: (262) 6501

☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes ___ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

65% - 65 of 100 acres - in West 1/2
of NE 1/4

☐ Attach proof of ownership, describe proof attached: Copy of Easement Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): [Signature] Date 1-13-94

Date

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

[Signature] 1-13-94

STEWART TITLE OF IDAHO, INC.

READ & APPROVED BY GRANTEE(S) 

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 93037748 JH

WARRANTY DEED

FOR VALUE RECEIVED MELVIN D. HODGES and DOLORES D. HODGES, (who acquired title as Delores D. Hodges), husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto BOISE RANCH GOLF COURSE, INC., an Idaho corporation

GRANTEE(S), whose current address is: 6110 EMERALD STREET, BOISE, ID 83704

the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

Government Lots 1 and 2, and the South half of the Northeast quarter of Section 4, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho,

EXCEPT

the East 33 feet thereof, conveyed to County of Ada by Deed recorded as Instrument No. 785703, records of Ada County, Idaho.

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

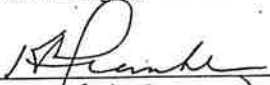
Dated: January 20, 1993


MELVIN D. HODGES


DOLORES D. HODGES

STATE OF IDAHO, County of Ada, ss.

On this 20th day of January in the year of 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Melvin D. Hodges and Dolores D. Hodges known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

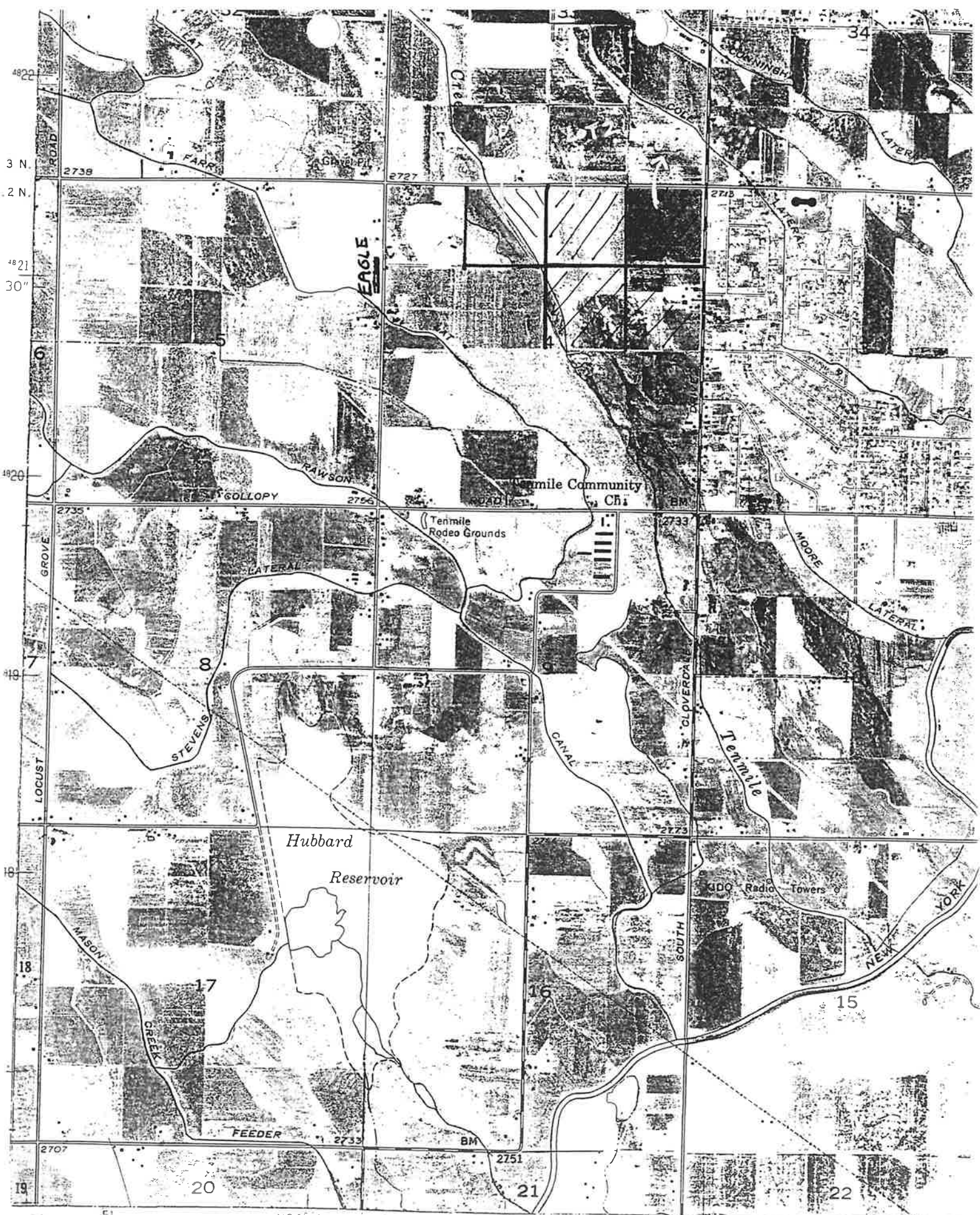
Signature: 

Name: Ken Franklin

(Type or Print)

Residing At: Boise

My Commission expires: 10-5-98



A63-04607B + A63-04607A

X58 (1'
(1981)

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: A63-04607
Date Received: 2/27/1989
Receipt No: W002316
Received By: RLH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN D. HODGES 208-362-9364
Address: 6701 S. CLOVERDALE RD.
BOISE, ID 83709

OR
Name: DOLORES D. HODGES 208-362-9364
Address: 6701 S. CLOVERDALE RD.
BOISE, ID 83709

2. Date of Priority: MAR 29, 1947

3. Source: TENMILE CREEK Trib. to: FIFTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	01E	4	NW	SE			ADA

5. Description of diverting works:
GRAVITY FLOW, UNDERGROUND PIPE, HEADGATES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	01E	4	NW		NE		IRR	40.0
			SW		NE		IRR	25.0
			NE		NW		IRR	35.0
							Section Acres	100.0
							Total Acres	100.0

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:
NEW YORK IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Melvin D. Hodges Date: 2-27-89
_____ Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of FEB 19 89

Ron Haver
Notary Public

Seal

Residing at Boise, Idaho 83703

My Commission Expires 12-8-94

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Amended

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 Melvin D. & Dolores D. Hodges
(name of claimant)
of 6701 S. Cloverdale, Boise, claims a right to the diversion and beneficial use of
(mailing address) 83705
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) Ten Mile Creek
_____, tributary to, Boise River
- (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>2.0 cfs</u>	Use <u>Irrigation</u>	Period of Use: From <u>Apr. 1</u> To <u>Oct. 15</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 2.0 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) March 29, 1947

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)
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4 Twp. 2N Rge. 1E 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. _____

- (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.

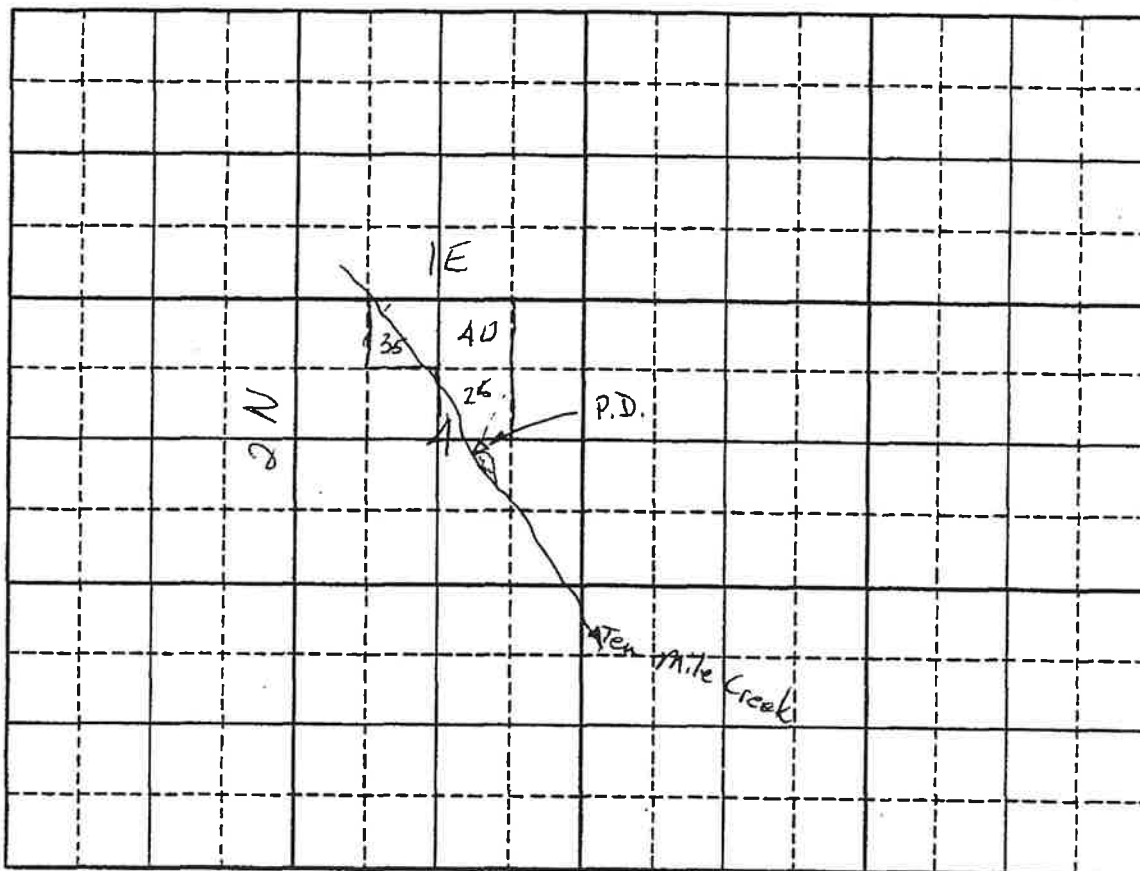
[illegible]

Total No. of acres 100

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) 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.

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 14th day of April, 19 78

Melvin D. Hodges
(Claimant)

Marcia L. Brown
Notary Public
Residing at Bain, Idaho

My commission expires 8/10/79

For Department Use Only

Received by <u>meb</u>	Date <u>4/14/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>WAm</u>	Date <u>4-19-78</u>		claimant by:	
\$10.00 fee received by <u>meb</u>	Date <u>3/30/78 #11223</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>Idaho Statutes</u>				
Dates <u>Apr 27 - May 7</u>				