

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: A21-04126
Date Received: 3/20/1989
Receipt No: C005920
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. MITCHELL JACOBS 208-662-5530
Address: 2496 N 2375 E
HAMER, ID 83425

OR

Name: VALYNN H. JACOBS 208-662-5530
Address: 2496 N 2375 E
HAMER, ID 83425

2. Date of Priority: JUN 01, 1916

3. Source: BLUE CREEK SPRINGS Trib. to: BLUE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	42E	10	NE	SW			FREMONT
			SW	SW			FREMONT

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	10/01	2.000		
STOCKWATER	06/01	10/01	0.190		

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

8. Total consumptive use is 126.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500-800 RANGE.

A2104126

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	42E	10	SE	SW		IRR	5.0
			NW	SE		IRR	10.0
			SW	SE		IRR	16.0
			SE	SE		IRR	18.0
			Section Acres				49.0
		15	NE	NE		IRR	25.0
			SE	NE		IRR	10.0
			Section Acres				35.0
			Total Acres				84.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGE IN OWNERSHIP, 11/15/90/JT

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 _____ 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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

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: A21-04126
Date Received: 3/13/1989
Receipt No: 0005920
Received By: RRT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WM. GORDON MCCREA 208-558-7420
Address: P.O. BOX 217
ISLAND PARK, ID 83429

AND/OR

Name: ALGENIA S. MCCREA ESTATE 208-558-7420
Address: P.O. BOX 217
ISLAND PARK, ID 83429

2. Date of Priority: JUN 01, 1916

3. Source: BLUE CREEK SPRINGS Trib. to: BLUE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	42E	10	NE	SW			FREMONT
			SW	SW			FREMONT

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	10/01	2.000		
STOCKWATER	06/01	10/01	0.190		

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

8. Total consumptive use is 126.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500-800 RANGE.

A21-04126

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Date: 03/20/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	42E	10	SE	SW		IRR	5.0
			NW	SE		IRR	10.0
			SW	SE		IRR	16.0
			SE	SE		IRR	18.0
					Section Acres		49.0
		15	NE	NE		IRR	25.0
			SE	NE		IRR	10.0
					Section Acres		35.0
					Total Acres		84.0

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

(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.

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November 15, 1990

F MITCHELL AND VALYNN H JACOBS
2496 N 2375 E
HAMER ID 83425

RE: Change in Ownership for A21-04140 and A21-04126

Dear Mr. and Mrs. Jacobs:

Your request for Change in Ownership submitted for Notices of Claim A21-04140 and A21-04126 has been processed and the Notices modified to reflect you as the new owners.

Enclosed are typed Notice(s) with your names shown as the current owners. Review the forms(s) and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice(s) for your records.

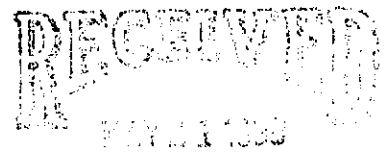
Respectfully submitted,

EC
Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

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CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

Department of Water Resources
Eastern District Office[] Water Right Number(s): A21-04140, A21-04126[] Name and Address of
Former Claimant: WM. GORDON McCREA AND/OR
ALGENIA S. McCREA ESTATE[] New Claimant(s): F. MITCHELL JACOBS OR VALYAN H.
JACOBS[] New Mailing Address: 2496 N. ~~232E~~ 2375 E.
HAMER, ID. 83425New Telephone Number: (208) 662-5530[] Does the change in ownership result in a splitting of the
water right claimed? yes X noIf yes, then describe the portion of the water right that is
now claimed by the new owner:[] Attach proof of ownership
Describe proof attached: WARRANTY DEED FROM BOTH OWNERS[] Signature of New Claimant(s): F. Mitchell JacobsDate: 5-21-90

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:

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OCT 20 1992

Microfilm No. 412450
Day Dec 1 1989
At 10:46 O'clock AM

F 18 267
First American Title Company

MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 15-00 Deputy
Recorded At Request of
First American Title Company

WARRANTY DEED

THIS INDENTURE, made this 1st day of December, 1989,
between the ALGENIA S. McCREA REVOCABLE TRUST, by and through
its Trustee, WILLIAM GORDON McCREA, the Party of the First
Part, and F. MITCHELL JACOBS and VALYNN H. JACOBS, husband and
wife, of 2496 North 2375 East, Hamer, Jefferson County, Idaho,
the Party of the Second Part.

W I T N E S S E T H:

That said Party of the First Part, for and in
consideration of the sum of Ten and No/100 Dollars (\$10.00)
lawful money of the United States of America and other
valuable consideration to Party of the First Part in hand paid
by the Party of the Second Part, the receipt whereof is hereby
acknowledged, has granted, bargained, sold, and by these
presents does grant, bargain, sell and convey and confirm unto
the said Party of the Second Part, and to Party of the Second
Part's successors and assigns, forever, an undivided one-half
(1/2) interest in and to all of the following described real
estate situate in Fremont County, State of Idaho, to-wit:

Township 13 North, Range 42 East, Boise, Meridian,
Fremont County, Idaho.

Section 10: S $\frac{1}{2}$, LESS: Road Right of Way

Section 14: SW $\frac{1}{4}$, LESS: Road Right of Way

Section 15: NW $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ S $\frac{1}{2}$; NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 22: E $\frac{1}{2}$, LESS: Road Right of Way

Section 23: W $\frac{1}{2}$, LESS: Road Right of Way

Section 26: W $\frac{1}{2}$ NW $\frac{1}{4}$

Including any Bureau of Land Management and/or private leases pertinent to the property, if any; as well as any and all water rights pertinent to the property.

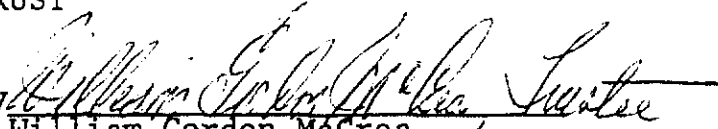
Subject to all exceptions listed on Schedule "B" of the 10/19/89 Commitment for Title Insurance issued by First American Title Insurance Company, a copy of which is attached hereto as Exhibit "A" and made a part hereof by this reference.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Party of the First Part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the Party of the Second Part, and to Party of the Second Part's successors and assigns forever. And the said Party of the First Part, and the said Party of the First Part's heirs and successors shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Party of the Second Part, and Party of the Second Part's successors and assigns, against the said Party of the First Part, and Party of the First Part's heirs and successors, and against all and every person and persons whomsoever, lawfully claiming or to claim the same. In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal the day and year first above written.

ALGENIA S. McCREA REVOCABLE
TRUST

By 
William Gordon McCrea
Trustee

STATE OF IDAHO

)

: ss.

County of Madison

)

ON THIS 1st day of December, 1989, before me,
Marilyn J. Fife, a Notary Public in and for said State,
personally appeared WILLIAM GORDON McCREA, known to me to be
the Trustee for the ALGENIA S. McCREA REVOCABLE TRUST, who
executed the within and foregoing instrument on behalf of said
trust, and acknowledged to me that such trust executed the
same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certificate
first above written.



Notary Public for Idaho
Residing at: Rexburg
My Commission Expires: 3-25-94

(seal)

SCHEDULE B -- Section 2 No. F-18267
Exceptions

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easements or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
8. General Taxes for the year 1988 are paid in full in the amount of \$664.14.
9. General Taxes for the year 1989 are an accruing lien, but are not yet due or payable.
10. Subject to existing easements for roads, highways, ditches, canals, laterals, power and transmission lines.
11. Reservations in United States Patent, recorded August 11, 1924, Recorded in Book H of Patents, page 188, Official Records of Fremont County, Idaho, wherein all coal and other minerals, are reserved to the United States of America.
(COVERS THE S1/2SW1/4 OF SECTION 14; S1/2NE1/4; SE1/4 OF SECTION 22; AND THE W1/2 OF SECTION 23, TOWNSHIP 13 NORTH, RANGE 42 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO)

(SCHEDULE B CONTINUED)

EXHIBIT "A"

412656

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12. Reservations in United States Patent, recorded November 9, 1931, in Book 1 of Patents, page 169, Official Records of Fremont County, Idaho, wherein all coal and other minerals, are reserved to the United States of America.
(COVERS THE S1/2S1/2; SW1/4NE1/4; NW1/4SW1/4 OF SECTION 15; N1/2NE1/4 OF SECTION 22; NE1/4NW1/4; W1/2NW1/4 OF SECTION 26, TOWNSHIP 13 NORTH, RANGE 42 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO)
13. Any claim arising from the difference in the mean high water line of the Island Park Reservoir, and the meander line as shown by the Original Government Survey.
(COVERS SECTION 26)
14. Offer to Lease and Lease for Oil and Gas executed by The United States of America, to Ed Pendleton, recorded March 2, 1978, Recorder's No. 352699, Official Records of Fremont County, Idaho.
(COVERS SECTION 22)
15. Electric Line Right of Way Easement granted to Fall River Rural Electric Cooperative, Inc., over the NE1/4SW1/4 of Section 14, Township 13 North, Range 42 East, Boise Meridian, by Jay Trude Kern, recorded April 3, 1979, Recorder's No. 358860, Official Records of Fremont County, Idaho.
16. Electric Line Right of Way Easement granted to Fall River Rural Electric Cooperative, Inc., over the SW1/4 of Section 14, Township 13 North, Range 42 East, Boise Meridian, by Algenia S. McCrea, recorded April 3, 1979, Recorder's No. 358863, Official Records of Fremont County, Idaho.
17. Electric Line Right of Way Easement granted to Fall River Rural Electric Cooperative, Inc., over the SE1/4 of Section 15, Township 13 North, Range 42 East, Boise Meridian, by Algenia S. McCrea, recorded April 3, 1979, Recorder's No. 358864, Official Records of Fremont County, Idaho.

(END OF SCHEDULE B)

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OCT 20 1992

1. The grantor warrants that the premises are his own, free and clear of all liens, taxes, assessments, and other encumbrances, except as otherwise herein provided.
2. The grantor warrants that the premises are not subject to any adverse claim, suit, or proceeding, and that he is not a party to any such claim, suit, or proceeding.
3. The grantor warrants that the premises are not subject to any condemnation proceeding, and that he is not a party to any such proceeding.
4. The grantor warrants that the premises are not subject to any eminent domain proceeding, and that he is not a party to any such proceeding.
5. The grantor warrants that the premises are not subject to any other proceeding, and that he is not a party to any such proceeding.
6. The grantor warrants that the premises are not subject to any other claim, suit, or proceeding, and that he is not a party to any such claim, suit, or proceeding.
7. The grantor warrants that the premises are not subject to any other adverse claim, suit, or proceeding, and that he is not a party to any such claim, suit, or proceeding.
8. General Taxes for the year 1988 are paid in full in the amount of \$6,000.00.
9. General Taxes for the year 1989 are an amounting lower, but are not yet due or payable.
10. Subject to existing easements for roads, highways, ditches, canals, laterals, power and transmission lines.
11. Reservations in United States Patent, recorded August 11, 1963, Recorded in Book 4 of Patents, page 188, Official Record of Fremont County, Idaho, wherein all coal and other minerals are reserved to the United States of America. COVERS THE S1/2SW1/4 OF SECTION 14, S. 2NE1/4, SE1/4 OF SECTION 21, AND THE W1/2 OF SECTION 19, TOWNSHIP 13 NORTH, RANGE 42 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO.

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(SCHEDULE B CONTINUED)

WARRANTY DEED - 3

EXHIBIT "A"

4124731

414451

THE UNIVERSITY OF CHICAGO