

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: **A27-02123**
Date Received: 5/ 8/1989
Receipt No: E007212
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	JANE CARTER	208-785-3116
Address:	438 S 900 W	
	BLACKFOOT ID	83221
AND/OR		
Name:	LADD CARTER	208-785-3116
Address:	438 S 900 W	
	BLACKFOOT ID	83221
AND/OR		
Name:	LAYNE F HAMILTON	208-785-3116
Address:	438 S 900 W	
	BLACKFOOT ID	83221
AND/OR		
Name:	LINDA HAMILTON	208-785-3116
Address:	438 S 900 W	
	BLACKFOOT ID	83221

2. Date of Priority: NOV 22, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	34E	27	NW	NE	NW		BINGHAM

5. Description of diverting works:
160'X10" WELL W/ 75HP TURBINE PUMP INTO MAINLINE/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.020		

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

8. Total consumptive use is 303.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03S	34E	27	NE		NW		IRR	8.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	6.0
			NW		SW		IRR	7.0

Section Acres 101.0

Total Acres 101.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
SMITH-MAXWELL DITCH CO. SHARES

14. Remarks:
MR. CARTER HAS 5 YEAR LEASE W/ OPTION TO BUY FROM MR.
MC DANIELS. MR. CARTER IS FILING AS LEASOR OF PROPERTY.
**CHANGED OWNERSHIP_5/16/97/JT/AR

15. Basis of Claim: LICENSE

Water Right Number: 30023

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: A27-02123
Date Received: 5/08/1989
Receipt No: E007212
Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	MICHEAL MC DANIEL	208-524-3346
Address:	RT. 3	
	BLACKFOOT, ID	83221
OR		
Name:	LADD CARTER	208-785-3116
Address:	438 S. 900 W.	
	BLACKFOOT, ID	83221
OR		
Name:	JANE CARTER	208-785-3116
Address:	438 S. 900 W.	
	BLACKFOOT, ID	83221

A2702123



2. Date of Priority: NOV 22, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
03S	34E	27	NW		NE		NW		BINGHAM

5. Description of diverting works:
160'X10" WELL W/ 75HP TURBINE PUMP INTO MAINLINE/HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.020		

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

8. Total consumptive use is 303.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-02123

Page 1

Date: 05/08/89

REPROFILMED

NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	34E	27	SE	NW	IRR	6.0
			NW	SW	IRR	7.0
Section Acres						101.0
Total Acres						101.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
SMITH-MAXWELL DITCH CO. SHARES

14. Remarks:
MR. CARTER HAS 5 YEAR LEASE W/ OPTION TO BUY FROM MR.
MC DANIELS. MR. CARTER IS FILING AS LEASOR OF PROPERTY.

15. Basis of Claim: LICENSE
Water Right Number: 30023

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: 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): Ladd Carter Date: 5-8-89

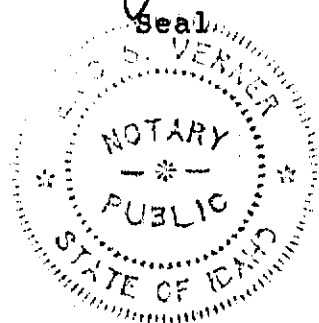
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of May 1989

[Signature]
Notary Public

Residing at Bohatch &
My Commission Expires 22 Aug 1994



T3S

2
70.0

A Point of
A27-02120 DIVER

2

45.5 2.2

A27-02123
Point of
DIVER

T 17
25.5

40

28

27

(40)

(8)

30

30.3

2
33.4

8.0

PORTABLE

26

37

(40)

(6)

2
25.9

3
30.1

4
37.1

5
7.6

9 OUT 19
OUT

R34E

A27-10473

A27-02123

A27-02120

NOV 12 1982

Log for claim 27-02123

Spatial Dynamics LTD

12/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s34e	27	NWSW	13	16	Includes SENW qq.
03s34e	27	NENW	8	11	
03s34e	27	NWNW	40	37	
03s34e	27	SWNW	40	33	GCDB does not match qq's.
Totals:			101	97	

AJ5809WP
No. A27-02123

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 64

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JANE CARTER	11/22/1961	IRRIGATION	04-01 11-01	2.020 CFS	
C	LADD CARTER					
C	LAYNE F HAMILTON			TOTAL DIVERSION:	2.020 CFS	
C	LINDA HAMILTON			CONSUMPTIVE USE:		303.00 AFA
	438 S 900 W					
	BLACKFOOT ID 83221					
	(208) 785-3116					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03S R34E S27

NWNEW

BINGHAM County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: SUM
03S 34E 27	:				:	08	40	40	06	:		07	:				: 101.0
																	: TOTAL ACRES 101.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: SMITH-MAXWELL DITCH CO. SHARES

Other Water Rights Listing Overlapping Place(s) of Use:
A01-10058 A27-02129 A27-02129A

Remarks: GEN MR. CARTER HAS 5 YEAR LEASE W/ OPTION TO BUY FROM MR.
MC DANIELS. MR. CARTER IS FILING AS LEASOR OF PROPERTY.
**CHANGED OWNERSHIP_5/16/97/JT/AR

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 05/08/89 VERNER 09/29/94 JTHOMPSO 03/29/95 POST-STD 05/16/97 JTHOMPSO

27-2123

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38049
Permit No. G- 30023
District No.

1. Name of Applicant: Alton McDaniel
Rt. #3
Postoffice address: Blackfoot County: Bingham State: Idaho
2. Quantity of water claimed: 105 miners inches or 2.1 cfs
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27
Twp. 3 S , Rge. 31 E , B.M., County of Bingham
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.,
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled, cased well and electric pump
8. Estimated cost of works: \$4,700
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - (a) 2.1 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Totals		
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4
3 S	34 E	27		8	40	40	7.8	9	104.8
PERMIT NO. G-30023 ✓									
CERTIFICATE OF COMPLETION OF WORKS									
TO ALL WHOM IT MAY CONCERN:									
This is to certify that ALTON MC DANIEL of Blackfoot, County of Bingham, and State of Idaho, the holder of Permit No. G-30023, issued upon Application No. G-38049 bearing date of priority of November 22, 1961 (late proof), authorizing the diversion of 2.1 second feet of waters of a well, County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.02 second feet of the waters of a well, from subterranean flow, that the point of diversion of said waters is in the NE 1/4 NW 1/4 Section 27, Township 3 South, Range 34 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: NW 1/4, NW 1/4 SW 1/4 Section 27, Township 3 South, Range 34 East, Boise Meridian.									
Proof of Completion of Works made: November 28, 1966									
Witness my hand this 13 day of February, A. D. 1968									
/S/ R. KEITH HIGGINSON State Reclamation Engineer									
LICENSE ISSUED FOR 2.02 SEC. FT. LICENSE PAGE NO. 30023									

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30023

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Alton McDaniel

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NE1/4 of Section 27

T. 3 S R. 34 E County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same:

INTERNATIONAL HARVESTER NATURAL GAS MOTOR
MODEL # U B-264 30 H.P. RANDALPH
RIGHT ANGLE PUMP DRIVE # 3950
LAYNE C BOWLER PUMP # 44024 P
9 7/8" DISCHARGE INTO EARTH DITCH

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW1/4, NW1/4SW1/4, Sec. 27, T. 3 S, R. 34 E, B.M. (104.8 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? SNAKE RIVER

Remarks: MR ALTON M'DANIEL'S SON

CONTACTED

154

This examination was made on the 11 TH day of AUG, 1967

(Signed) Dean Reynolds Examiner.

30023 DW ✓
plat

Alton McDaniel *gravity flow - Smith-Marwell ditch*
Route #3
Blackfoot, Idaho *W 139'*
H-26-30

Permit No. G-30023 *9-250'*

Examination for Completion of Works & Beneficial Use

County Bingham

Quantity: 2.1 c.f.s. Sec. 27 T.3S R.34E

Source: subterranean

P.D.: NE 1/4, Sec. 27, T. 3 S, R. 34 E, B.M.

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: August 1, 1961

Due: August 7, 1966

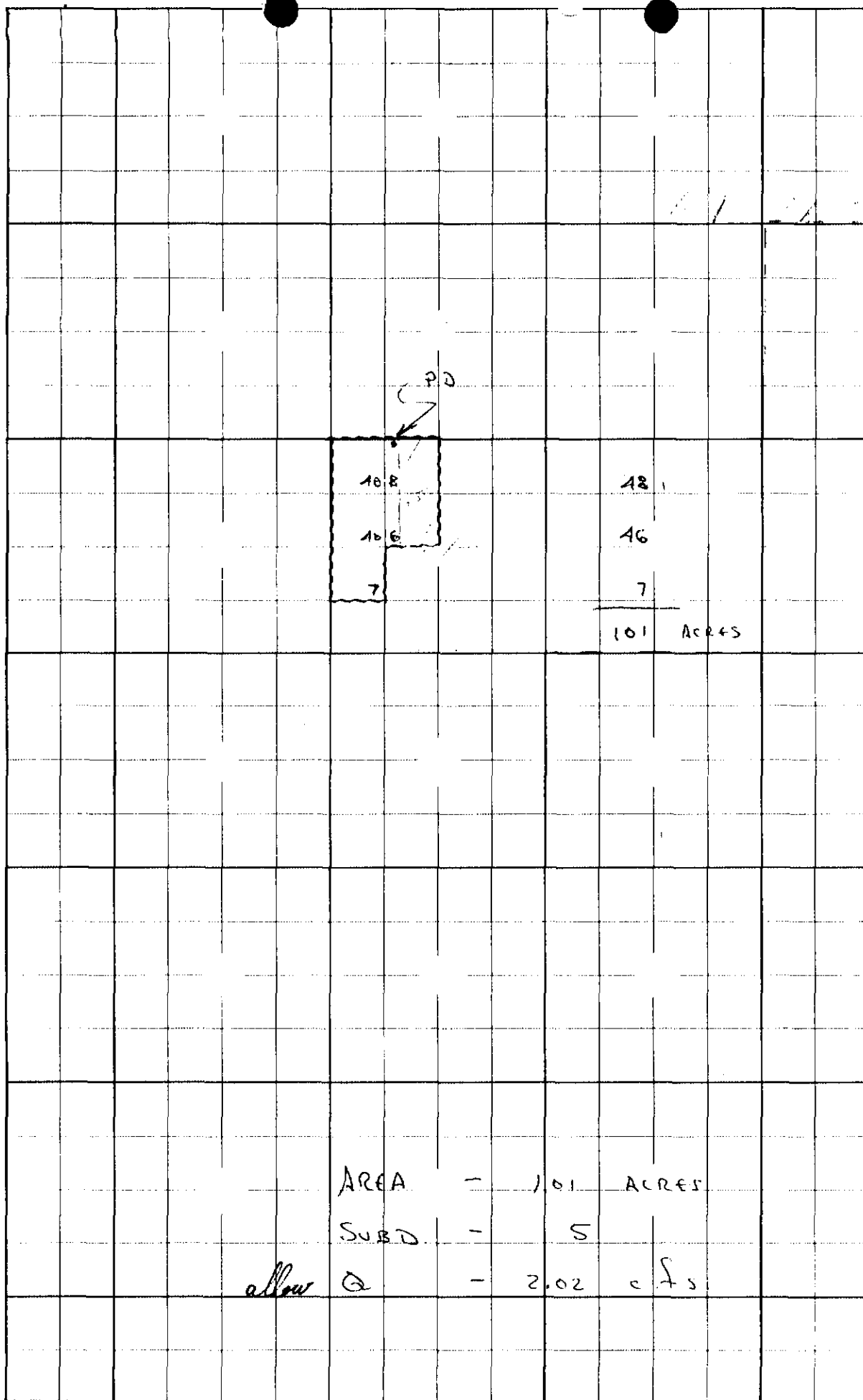
Made: November 28, 1966

Priority: November 22, 1961

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

221 223



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

30023

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

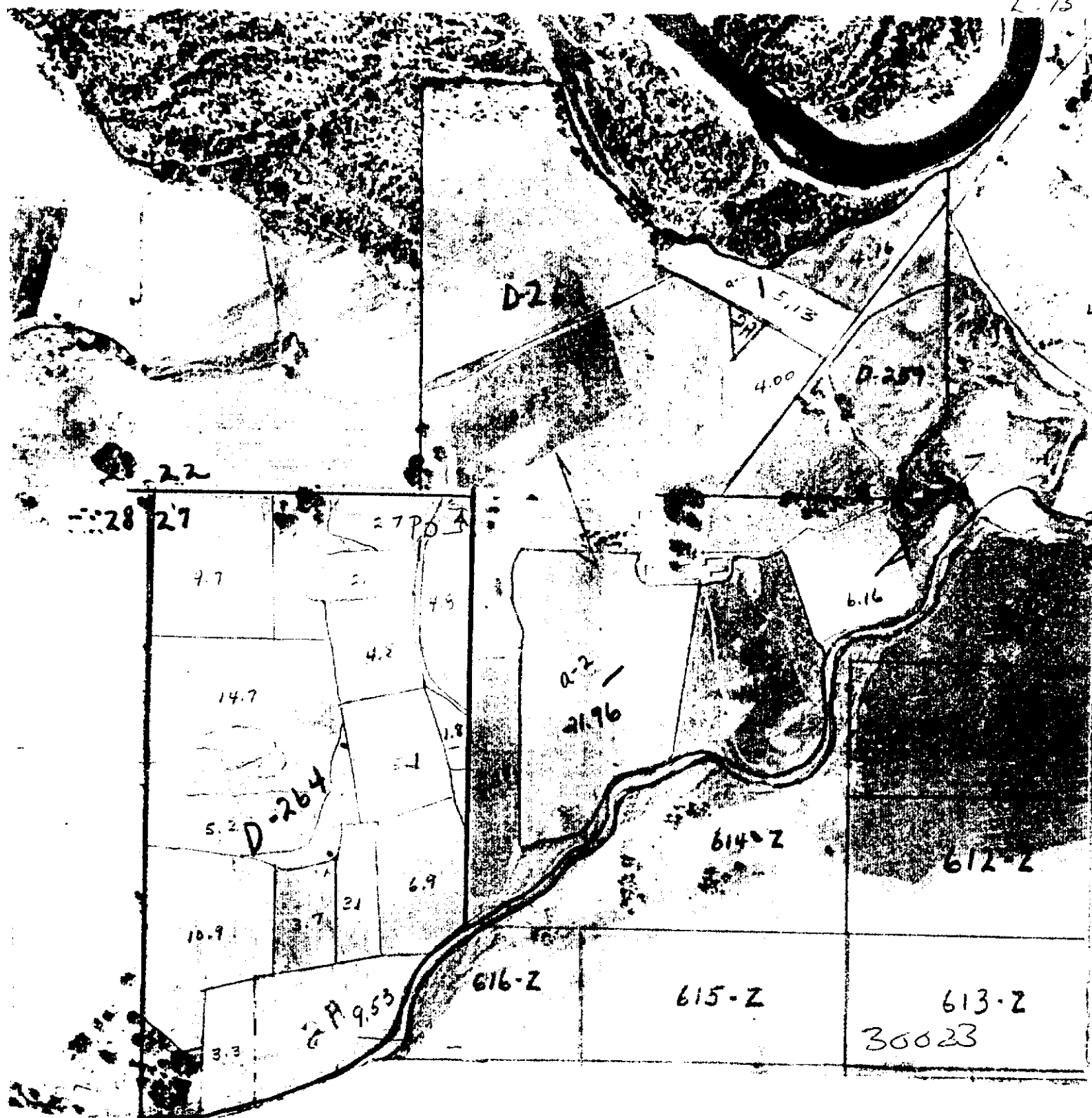
REPORT OF EXAMINER

PERMIT NO. G-30023

REPORT ON PROOF OF Completion of Works & Beneficial Use

G-30023

L-15





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

MAY 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LADD CARTER
LAYNE HAMILTON
438 S 900 W
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR A27-02123

Dear Mr. Carter and Mr. Hamilton:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms 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 for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

5-5 AR
STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
APR 30 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources
Incomplete forms will be returned. Eastern District Office

1. Water Right Number(s) G-30023
Adjudication Claim Number(s) A 27-02123 = 101ac/202cfs
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Michael McDaniel & Colleen McDaniel
BF 3
Blackfoot, Id 83221
4. New Owner/Claimant(s) A. Ladd and Jane Mc Carter or Layne F. And Linda Hamilton
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 434 S 900 W. Blackfoot Id
City, State and ZIP Code Blackfoot Id 83221
New Telephone Number (208) 785-3116
5. Date you acquired the property Aug 11, 1989
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 7 101 Number and type of stock None

Diversion rate in CFS 2.62 2.02 cfs Number of homes N/A Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) A. Ladd Carter Jane M Carter Date 4-29-97
Layne Hamilton Linda Hamilton Date 4-29-97
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

COPY

WARRANTY DEED

For Value Received

MICHAEL D. MCDANIEL and COLLEEN M. MCDANIEL, both single persons

the grantor s, do hereby grant, bargain, sell and convey unto

A. LADD CARTER and JANE M. CARTER, husband and wife, and
LAYNE F. HAMILTON and LINDA HAMILTON, husband and wife

whose current address is

the grantees, the following described premises, in.....Bingham.....County Idaho, to wit:

Beginning at the Northwest corner of Section Twenty-seven (27), Township Three (3) South, Range Thirty-four (34), East of the Boise Meridian, Bingham County, Idaho, and running thence East along the Section line 1643 feet, thence South 0°38' East 2130 feet to the North bank of the Blackfoot River, thence West along the North bank of said River to a point of intersection with the West line of said Section 27; thence North along the West line of said Section 27, 3117 feet to the Place of Beginning.

EXCEPTING THEREFROM: Part of the NW¼NW¼ of Section 27, Township 3 South, Range 34, East of the Boise Meridian, Bingham County, Idaho, described as:

Beginning at the NW corner of said Section 27 and running thence East along the North line 1030 feet; thence South 300 feet; thence West 1030 feet; thence North 300 feet to the Point of Beginning... 7.09ac

Subject to right-of-way for ditch along North line of conveyed property, which Grantor herein reserves use of water from said ditch.

Subject to taxes and assessments for the year 1989 and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the Grantees...

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: July 7, 1989

Michael D. McDaniel
MICHAEL D. MCDANIEL

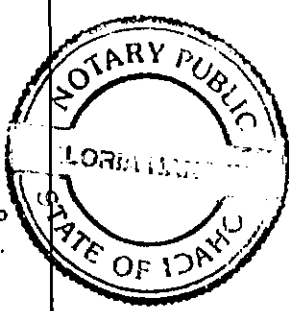
Colleen M. McDaniel
COLLEEN M. MCDANIEL

STATE OF IDAHO, COUNTY OF Bingham
On this 7th day of July, 1989,
before me, a notary public in and for said State, personally appeared

MICHAEL D. MCDANIEL and
COLLEEN M. MCDANIEL

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Lorin Hansen
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 1/16/93



382306

1989 AUG 11 AM 10:24

RECORDED AT THE REQUEST OF
AMERICAN LAND TITLE CO., INC

4 NHEL
45.5
39 22

400 S. Riverton Rd.

NHEL
35

2

NHEL
4

67

2 NHEL

93.3

+



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

October 2, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LADD CARTER
438 S 900 W
BLACKFOOT ID 83221

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A27-02123

Dear Mr. Carter:

IDWR has been notified the address presently in our claim records for your co-claimant, Michael McDaniel, is incorrect. If he is still a co-claimant, we are hoping you can notify IDWR of his correct mailing address.

When you filed Notice of Claim #A27-02123 May 8, 1989, you stated you had a five-year lease with an option to buy from Mr. McDaniel. If you renewed the lease with McDaniel, please sign your name at the bottom of this letter, and return it to this office. If the ownership of the property to which the water right referenced above applies has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

We hope to assure that you and your co-claimant receive future notices about SRBA matters. Please contact me if you have any questions or concerns.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SO:ss:region

#####

The address of my co-claimant is:

Street _____

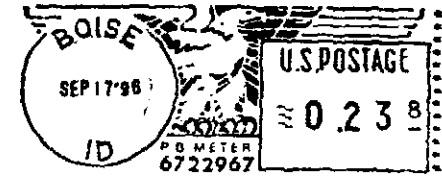
City _____ State _____ Zip Code _____

Claimant Signature

NOV 13 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

PRESORTED
FIRST CLASS



UNDELIVERABLE
MESSAGE
UNABLE TO FORWARD

File

A27-02123
MICHAEL MC DANIEL
RT 3
BLACKFOOT

RECEIVED

SEP 20 1996

Department of Water Resources

ID 83221

*Insuf.
Add
m*

NOV 13 1996

83221

