

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: A27-11727
Date Received: 7/30/1997
Receipt No: 6023463
Received By: Y.S.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY L SCOTT
Address: 1440 N 1100 E
SHELLEY ID

208-526-5197

83274

2. Date of Priority: MAY 1, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	37E	23		NE	SE		BINGHAM

5. Description of diverting works:
WELL, PUMP, PIPED TO HOME

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	

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:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	37E	23		NE	SE	DOMEST	

11. Place of use in counties: BINGHAM

A271727



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

13. Other Water Rights Used:
IDAHO IRRIGATION DISTRICT

14. Remarks:
STOCKWATER, 2 HORSES

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): *Gary L Scott* Date: *7/30/97*

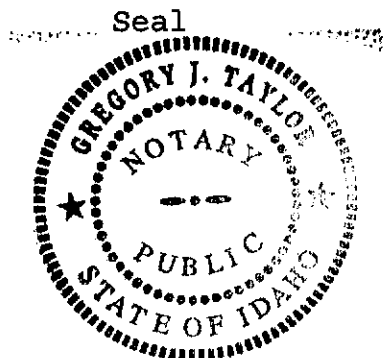
Date: _____

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

Subscribed and sworn (or affirmed) before me this *20th* day

of *July* 19 *97*

Gregory J. Taylor
Notary Public



Residing at *Idaho Falls 5d*

My Commission Expires *3/3/98*

DELOG GT 5/26/98

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A27-11727
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) _____

- ④ New Owner/Claimant(s) Randy Humpherys Wendy J Humpherys
Name connector (check one): ☐ AND, ☐ OR, ☒ AND/OR
- New Mailing Address 1440 N 1100 E SHELLEY ID 83274
- City, State and ZIP Code SHELLEY Idaho 83274
- New Telephone Number (208) 542-6006
5. Date you acquired the property Apr. 31 1998

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 _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ 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) Randy Humpherys Date 5/22/98

Date _____

- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. 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.

AFTER RECORDING MAIL TO:

INTERWEST MORTGAGE
P.O. BOX 12937
RENO, NV 89510-2937

LOAN NO. 3726966

[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on March 27, 1998. The grantor is
RANDY HUMPHERYS and WENDY J. HUMPHERYS, HUSBAND AND WIFE

The trustee is ALLIANCE TITLE AND ECROW CORP
The beneficiary is INTERWEST MORTGAGE,
which is organized and existing under the laws of the State of Nevada,
and whose address is P.O. BOX 12937, Reno, NV 89510-2837

("Borrower").
("Trustee").

("Lender"). Borrower owes Lender the principal sum of Ninety Nine Thousand Two Hundred Dollars and no/100

Dollars (U.S. \$ 99,200.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on April 1, 2028. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in BINGHAM County, Idaho:

LOT 3 OF BLOCK 1 OF GREEN ACRES ESTATES, BINGHAM COUNTY, IDAHO,
ACCORDING TO THE RECORDED PLAT THEREOF, RECORDED APRIL 28, 1976,
IN BOOK 19, INSTRUMENT NO. 211505, RECORDS OF SAID COUNTY.

which has the address of 1440 N. 1100 E.

Idaho

83274
[Zip Code]

[Street]

("Property Address");

SHELLEY
[City]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

GREEN ACRE ESTATES

BINGHAM COUNTY, IDAHO
A PORTION OF THE
S.E. 1/4 SEC. 23 T.1N. R.37E.B.M

ELLSWORTH ENGINEERING, INC.
IDAHO FALLS, IDAHO

Surveyor's Certificate

I, GARTH R. CUNNINGHAM depose and say that I am a Registered Land Surveyor That I have Surveyed the tract of land described in the Boundary Description attached hereto, that said tract has been staked on the ground according to the State Law and the Map shown hereon. I further certify that this tracing is an exact copy of the Original Plat.

STATE OF IDAHO
CERTIFICATE NO. 827

Garth R. Cunningham
GARTH R. CUNNINGHAM, L.S.

Boundary Description

Beginning at a point that is North along the Section line 994.99 Ft from the Southeast Corner of Section 23 Township 1 North Range 37 East of the Boise Meridian, running thence North 64.611 Ft, thence N 0° 14' 50" E 2640.64 Ft, thence S 0° 14' 50" E 2640.64 Ft to the South line of 3rd Section 23; thence S 89° 45' 43" E along the Section line 6855 Ft, thence N 5° 33' 34" E 300.82 Ft, thence N 12° 47' 15" E 131.00 Ft, thence N 22° 09' 28" E 430.21 Ft, thence N 28° 05' 32" E 126.53 Ft, thence N 31° 04' 04" E 121.64 Ft, thence N 42° 48' 37" E 45.78 Ft, thence N 54° 53' 37" E 378.05 Ft to the Point of beginning. Containing 314.6 Acres more or less.

Owner's Dedication

KUONOUI ALL MEN BY THESE PRESENTS: That we the undersigned Owners of the tract of land described in the Boundary Description hereon have caused the same to be subdivided into Blocks, Lots, and Streets to be hereafter known as GREEN ACRE ESTATES and we do hereby dedicate all streets and Easements, shown on the map attached hereto, to the use of the Public forever.

I, WITNESS WHEREOF: We have hereunto set our hands this 16th day of April, A.D. 1976.
Doug O. Christensen *James L. Peterson*
Clayton Christensen *Shirley Peterson*
Alvin L. Hedberg *Garth R. Cunningham*
Frank B. Hedberg *Garth R. Cunningham*

Acknowledgement

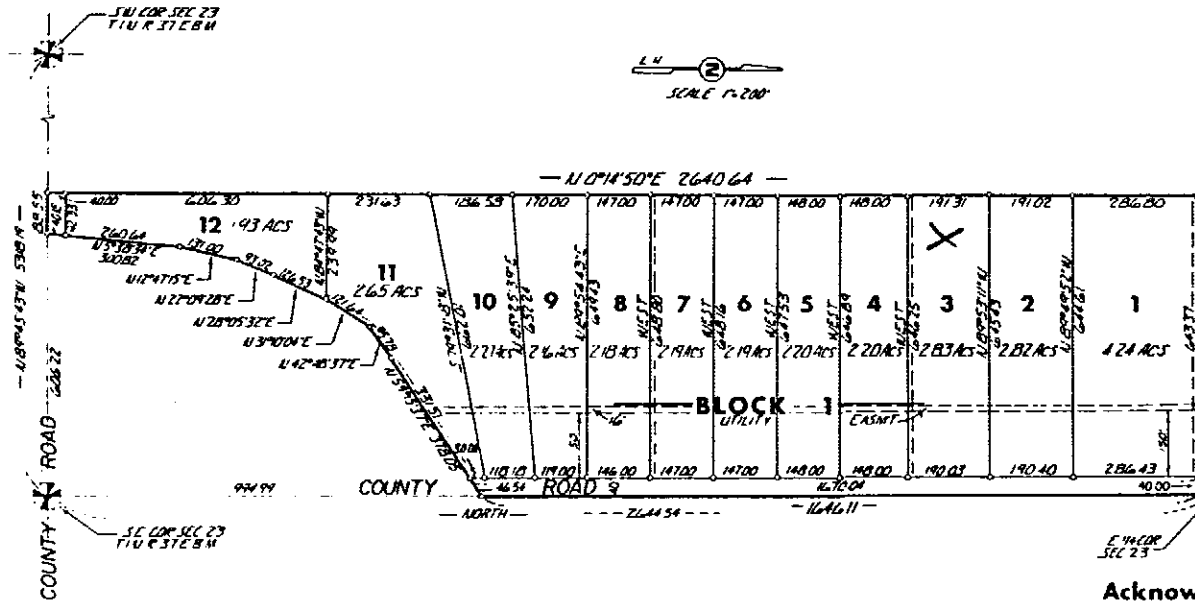
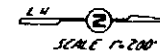
STATE OF IDAHO
COUNTY OF BONNEVILLE
BE IT REMEMBERED: That on this 16th day of April, 1976, personally appeared before me the undersigned Notary Public in and for said State and County, the signers of the above Owners Dedication and after being duly sworn, acknowledged to me that they signed said dedication freely and voluntarily for the purposes therein mentioned.

My Commission Expires Jan 16, 1978.

Doreen J. Hamilton
Notary Public Residing in Bonneville County, Idaho

Recorder's Certificate

I hereby certify that the foregoing Plat of GREEN ACRE ESTATES Bingham County, Idaho was Filed for recording in the Office of the Recorder of Bingham County, Idaho, on the 16th day of April, 1976, at _____ m, and recorded in Plat Book No. _____ of page _____.



• DESIGNATES IRON RODS
--- EASEMENTS IF UNLESS OTHERWISE NOTED

Health Dept. Cert.

I hereby certify that sanitary restrictions required by Idaho code title 50 Chap 13 Sec 50-1326 have been satisfied and this plat is hereby approved for recording by Filing of this certificate herewith
DIST 6 STATE BOARD OF HEALTH

By _____
Environmental Health Specialist
Date _____

County's Acceptance

The foregoing plat was duly accepted and approved by the Board of County Commissioners of Bingham County, Idaho By resolution adopted this _____ day of _____, 1976

Approved by: _____
COUNTY ENGINEER BOARD CHAIRMAN
James W. Hedberg
Planning Commission Chairman

ALLIANCE
TITLE & ESCROW CORP.

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

AJ0749NP
No. A27-11727

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/11/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RANDY HUMPHERYS	05/01/1977	DOMESTIC	01-01 12-31	0.04 CFS	
C	WENDY J HUMPHERYS					
	1440 N 1100 E					
	SHELLEY ID 83274			TOTAL DIVERSION:	0.04 CFS	
	(208) 542-6006					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T01N R37E S23

NESE

BINGHAM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	37E	23	:																	:
			:																	:

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: IDAHO IRRIGATION DISTRICT

Remarks: EXP STOCKWATER, 2 HORSES

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 11, 1998

RANDY & WENDY J HUMPHERYS
1440 N 1100 E
SHELLEY ID 83274

RE: CHANGE IN OWNERSHIP FOR A27-11727

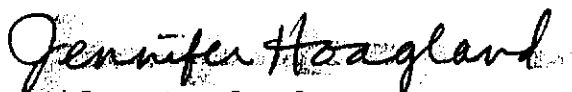
Dear Mr. & Mrs. Humpherys:

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(s).

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,


Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim