

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 27-11904
Date Received: 9/14/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRENT E CHAPPELL Phone: (208) 785-5707
MARIE D CHAPPELL Phone: (208) 785-5707
408 S 900 W
BLACKFOOT ID USA 83221

2. Date of Priority: 11/14/1960

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03S		34E	28	NE NE NE	BINGHAM

5. Description of diverting works:

180"X10" W/ 75HP TURBINE PUMP INTO MAINLINE TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION		04/01	11/01	2.22

7. Total Quantity Appropriated is:
2.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

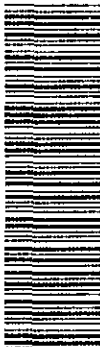
10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	34E	28	NW NE		IRRIGATION	34.5
			SW NE		IRRIGATION	32.2
			SE NE		IRRIGATION	32.5

Section Acres 99.2

Total Acres 99.2

A2711904



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:

14. Remarks:

27-11903, 27-11904 CREATED FROM PARENT RIGHT 27-02120A PER OWNERSHIP CHANGE 9-15-00, JC

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

September 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRENT & MARIE CHAPPELL
408 S 900 W
BLACKFOOT ID 83221

RE: CHANGE IN OWNERSHIP FOR A27-02120A

Dear Mr. & Mrs. Chappell:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A27-02120A:
27-11903, 0.44 CFS ON 19.8 ACRES, CARTER
27-11904, 2.22 CFS ON 99.2 ACRES, CHAPPELL

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

Enclosure

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

525-7161

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

RECEIVED

JUL 25 2000

Department of Water Resources
Eastern District Office

1. Water Right Number(s) A 27-02120A

Adjudication Claim Number(s) _____

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) Carter, Ladd/Jane438 S. 900W. Blackfoot ID 832214. New Owner/Claimant(s) Chappell, Brent/MarieName connector (Check one): ☐ AND, ☐ OR, ☒ AND/ORNew Mailing Address 408 S. 900W.City, State and ZIP Code Blackfoot ID 83221New Telephone Number (208) 785-57075. Date you acquired the property 5-25-99 and February 23, 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 139.21 Number and type of stock We now own 100% of the well and water rights.
Diversion rate in CFS _____ Number of homes 2 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)

Brent Chappell

Date

7-14-00Marie D. Chappell

Date

7-14-00

- (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.

WARRANTY DEED

462157

FOR VALUE RECEIVED, A. LADD CARTER and JANE M. CARTER, husband and wife, of 438 S. 900 W., Blackfoot, Idaho 83221, the Grantors, do hereby grant, bargain, sell, and convey unto BRENT E. CHAPPELL and MARIE D. CHAPPELL, husband and wife, the Grantees, whose current address is 408 S. 900 W., Blackfoot, Idaho 83221, the following described premises, to-wit:

Part of the NW¼NE¼ of Section 28, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at the NE corner of the NW¼NE¼, said point being N. 89°49'02" W. 1322.31 feet along the north line of Section 28 from the NE corner of said Section 28; and running thence S. 0°00'00" E. 1321.42 feet along the east line of said NW¼NE¼; thence S. 75°00'05" W. 113.86 feet; thence S. 83°29'26" W. 702.22 feet; thence S. 85°23'21" W. 506.59 feet to the northerly bank of the Blackfoot River; thence N. 59°43'28" W. 29.87 feet along said bank; thence N. 0°37'55" E. 690.46 feet along a fence line to the southerly line of Deed Instrument No. 398380; thence N. 42°32'25" E. 1041.98 feet along said southerly line of Deed Instrument No. 398380 to the north line of NW¼NE¼ Section 28; thence S. 89°49'02" E. 626.32 feet along north line to the point of beginning.

Together with all and singular, the tenements, hereditaments and appurtenances, ditches and ditch rights and water and water rights thereunto belonging or in anywise appertaining.

Subject to reservations in United States patents and State deeds or other restrictions imposed by law, easements and rights-of-way, zoning and building ordinances, use restrictions of record, and taxes and assessments for the year 1998 and thereafter.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED and signed this 23 day of February, 1998.

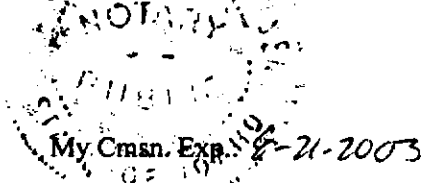
A. Ladd Carter
A. LADD CARTER

Jane M. Carter
JANE M. CARTER

STATE OF IDAHO)
)ss.
County of Bingham)

On this 23 day of February, 1998, before me, the undersigned, a notary public in and for said state, personally appeared A. LADD CARTER and JANE M. CARTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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



[Signature]
NOTARY PUBLIC FOR STATE OF IDAHO
Residing at: Blackfoot

FILE 3004
98 FEB 25 AM 11:21
RECORDED AT THE REQUEST OF
BLACKFOOT, IDAHO

FIRST AMERICAN TITLE & ESTATE
RECORDING & CLOSING
BLACKFOOT, IDAHO

452865

Warranty Deed

FIRST AMERICAN TITLE

BINHAM COUNTY RECORDER
BLACKFOOT, IDAHOFEE 3.00 DEP *DE*

97 APR 7 PM 4:34

COPY

For Value Received SHELTON BERNARD WINER and EVELYN FAYE WINER, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
BRENT E. CHAPPELL and MARIE D. CHAPPELL, husband and wife
whose address is: 406 & 408 S. 900 W., BLACKFOOT, ID, 83221

RECORDED AT THE REQUEST OF

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

TRACT A:

Township 3 South, Range 34 E.B.M., Bingham County, Idaho

Section 28: NE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT: The E. 25 feet of the N. 20 feet for a County road.ALSO EXCEPT: A portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, Township 3

South, Range 34 E.B.M., Bingham County, Idaho described as:

Beginning at the NE corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence N. 89°57' W. along the
Section line 450 feet; thence S. 500 feet; thence S. 89°57' E. 390 feet; thence
N. 480 feet; thence E. 60 feet; thence N. 20 feet to the point of beginning,
EXCEPT the E. 25 feet of the N. 20 feet for a County road.TRACT B:

Township 3 South, Range 34 E.B.M., Bingham County, Idaho

Section 28: A portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ described as:Beginning at the NE corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence N. 89°57' W. along the
Section line 450 feet; thence S. 500 feet; thence S. 89°57' E. 390 feet; thence
N. 480 feet; thence E. 60 feet; thence N. 20 feet to the point of beginning,
EXCEPT the E. 25 feet of the N. 20 feet for a County road.TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances
thereunto belonging or in anywise appertaining, including all water, water rights, ditch and
ditch rights. Together with water right #2702120TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to
the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said
Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all
encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations,
restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and
defend the same from all claims whatsoever.

Dated: April 7, 1997

Sheldon Bernard Winer
SHELDON BERNARD WINER*Evelyn Faye Winer*
EVELYN FAYE WINERSTATE OF IDAHO)
) ss.
COUNTY OF BINGHAM)On this 7th day of APRIL, 1997, before me the undersigned, a Notary
Public in and for the said county and state, personally appeared SHELTON
BERNARD WINER AND EVELYN FAYE WINER, known or proved to me to be the
persons who executed the foregoing instrument, and acknowledged to me that
they executed the same.*Sheldon Peterson*
Notary Public for Idaho
Residing at: BLACKFOOT IDAHO
My Commission Expires: 4-11-2000

Warranty Deed

478632

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE 3.00 DEP e

1999 MAY 26 AM 9:21

For Value Received A LADD CARTER AND JANE M CARTER, husband and wife, REQUEST OF
RECORDED AT FIRST AMERICAN TITLE COMPANY

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
BRENT E CHAPPELL and MARIE D CHAPPELL, husband and wife
whose address is: 408 SOUTH 900 WEST, BLACKFOOT, ID, 83221

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

PARCEL I:

Part of Lots 4 and 5, Section 28, Township 3 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is S. 00°00' E., 1320.00 feet along the East line of said Section 28 to the NE corner of said Lot 5 from the NE corner of Section 28; and running thence N. 89°52'44" W., 1322.31 feet to the NE corner of said Lot 4; thence S. 75°00'05" W., 113.86 feet; thence S. 83°29'26" W., 702.22 feet; thence S. 85°23'21" W., 506.59 feet to the northerly bank of the Blackfoot River; thence following said bank the following three (3) courses: (1) S. 59°43'32" E., 462.61 feet; thence (2) S. 03°11'22" W., 475.60 feet; thence (3) S. 11°12'55" E., 471.09 feet to an existing fence line; thence along said fence the following ten (10) courses; (1) S. 89°16'38" E., 1456.86 feet; thence (2) N. 0°25'00" W., 23.86 feet; thence (3) N. 49°49'28" E., 119.07 feet; thence (4) N. 51°50'09" E., 118.20 feet; thence (5) N. 50°57'33" E., 213.89 feet; thence (6) N. 43°13'33" E., 155.78 feet; thence (7) N. 37°27'48" E., 170.85 feet; thence (8) N. 32°59'56" E., 146.07 feet; thence (9) N. 32°01'59" E., 101.20 feet; thence (10) N. 23°33'02" E., 49.56 feet to the East line of Section 28; thence N. 0°00'00" E., 524.28 feet along the section line to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: MAY 25, 1999

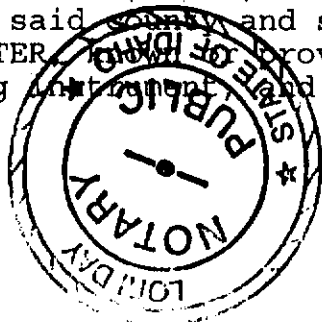
A Ladd Carter
A LADD CARTER

Jane M Carter
JANE M CARTER

STATE OF IDAHO)
: ss.
COUNTY OF BINGHAM)

478632

On this 25TH day of MAY, 1999, before me the undersigned, a Notary Public in and for the said county and state, personally appeared A LADD CARTER AND JANE M CARTER, who proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



[Signature]
Notary Public for Idaho
Residing at, BLACKFOOT, IDAHO
My Commission Expires: 10/21/2003

←
Thompson
Brothers
493 S 1200 W
Pinegre

NWNE
deed 468157
Chappell

Chappell
SWNE

Deed
478632

Chappell
SENE

1111 1000

NENE
Chappell

28

→ Ladd
Carter
some of 4+5

A27-02120A

34.5

40.0

32.2

32.5