

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: A29-00070
Date Received: 1/15/1990
Receipt No: E011696
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	GARY L HATCH	208-648-7395
Address:	3023 CHESTERFIELD RD	
	BANCROFT ID	83217
	OR	
Name:	LA RAE HATCH	208-648-7395
Address:	3023 CHESTERFIELD RD	
	BANCROFT ID	83217

2. Date of Priority: APR 19, 1904

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	38E	11	SW	SE	SW		CARIBOU

5. Description of diverting works:
COLLECTION DITCH FOR FLOOD IRRIGATION & STOCK POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.290		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	38E	14	NE NE		IRR	15.0

Section Acres 15.0

Total Acres 15.0

11. Place of use in counties: CARIBOU

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: DECREED

Case Number:

Court :

Decree date: / /

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

MCCAMMON DITCH CO. ET. AL.
vs Decree Defendant

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):

Larry J. Hatch

Date:

6/13/97

Date:

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of June 19 97

Barbara J. Payne
Notary Public

Seal

Residing at Bancroft, ID

My Commission Expires 10-1-02

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: A29-00070
Date Received: 1/15/1990
Receipt No: E011696
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY L. HATCH 208-648-7395
Address: 3023 CHESTERFIELD ROAD
BANCROFT, ID 83217

OR
Name: LA RAE HATCH 208-648-7395
Address: 3023 CHESTERFIELD ROAD
BANCROFT, ID 83217

2. Date of Priority: APR 19, 1904

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	38E	11	SW	SE	SW		CARIBOU

5. Description of diverting works:
COLLECTION DITCH FOR FLOOD IRRIGATION & STOCK POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.290		

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

8. Total consumptive use is 37.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE CATTLE

A29-00070

Page 1

Date: 01/15/90

MICROFILMED

NOV 13 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	38E	14	NE	NE		IRR	10.0
			SE	NE		IRR	5.0
						Section Acres	15.0
						Total Acres	15.0

11. Place of use in counties: CARIBOU

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: DECREED
Case Number:
Court :
Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

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. Hatch Date: Jan 15, 1990
Date:

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 15th day

of January 19 90

Seal

Anthony S. O'Connell
Notary Public

Residing at Idaho Falls

My Commission Expires 9/12/1994

Spring

BM 5576

POINT OF DIVERSION

T
7
S

R38E R39E

PLACE OF USE

Well
5575

A29-00070

WETLOW

Well 5575

Log for claim A29-00070

Spatial Dynamics BTD

6/2/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s38e	14	NENE	15	13	
Totals:			15	13	

AJ5809NP
No. A29-00070

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEFFREY L ASKEW 2776 KELLY TOPONCE RD BANCROFT ID 83217 (208) 648-7162	04/19/1904	IRRIGATION	04-01 11-01	0.290 CFS	
TOTAL DIVERSION:					0.290 CFS	
CONSUMPTIVE USE:						37.50 AFA

Water Source: SPRING

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R38E S11

SWSSEW

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	38E	14	:	15																15.0
TOTAL ACRES																			15.0	

POU County: CARIBOU

Non-Irrigation Uses: S/200 RANGE CATTLE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-12909

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00104 A29-00105 A29-00106 A29-02471

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29.

Remarks: GEN OWNERSHIP CHANGED BY SVH 6-23-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:

Presumption Flag:

Audit: 01/15/90 WILSON 04/01/94 THOMPSON 03/29/95 POST-STD 06/04/97 JTHOMPSON
06/23/98 SVANHOFF 07/14/98 JHOAGLAN



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

July 14, 1998

JEFFREY ASKEW
2776 KELLY TOPONCE RD
BANCROFT ID 83217

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A29-00070

Dear Mr. Askew:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

OCT 02 1997

Department of Water Resources
Eastern RegionDATE OF CLOSING: 7-18-95

LEGAL DESCRIPTION OF PROPERTY: Township 07S Range 38E
 Section 14, 1/4 of NE 1/4 of NE 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: A.29 -00070
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Gary L. Hatch
3023 Chesterfield rd.
Bancroft Rd. 83217
- ☐ New Owner/Claimant (Purchaser): Jeffrey L. Askeu
- ☐ New Mailing Address: 2776 Kelly Taponce rd.
Bancroft Rd. 83217
- ☐ New Telephone Number: (208) 648-7162
- ☐ 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: Deed. of trust & Warranty 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) Jeffrey L. Askeu Date 8-3-97
 _____ 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

I hereby certify that this instrument was filed at the request
of Caribou Title
at 4:10 o'clock P m this 25th day of
July, 19 95 in my office and duly

recorded in Microfilm Records

Recorder: Edie Izatt

Denise Huxley
Ex-Officio Recorder

Deputy 600

WARRANTY DEED

THIS INDENTURE, Made this 18th day of July, 1995, between GARY L. HATCH and LARAE HATCH, husband and wife, of Bancroft, County of Caribou, State of Idaho, hereinafter called First Party, and JEFFREY L. ASKEW and JODY R. ASKEW, husband and wife, of 2776 Kelly Toponce Road, Bancroft, County of Caribou, State of Idaho 83217, hereinafter called Second Party:

WITNESSETH: That the said First Party, for and in consideration of the sum of SEVENTY THOUSAND FIVE HUNDRED AND NO/100 DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows, to-wit:

Township 7 South, Range 38 East of the Boise Meridian:

Section 14: A tract in the NE~~1/4~~NE~~1/4~~ of said Section 14, more particularly described as follows:

Beginning at a point on the North line of said Section 14, said point being 510 feet West of the Northeast Corner of said Section 14, and running thence South at a right angle 209 feet;
thence West 370 feet;
thence South 1111 feet;
thence West 444.5 feet to the center of the Kelly Toponce Road right of way;
thence North 0°27'21" East 1320.04 feet along the center of said right of way;
thence East 804 feet,
to the point of beginning.

EXCEPT THEREFROM, any portion thereof lying within the right of way of a County Road.

SUBJECT to all easements, rights of way, and public roads or highways adjoining or crossing said property, and further subject to retention or reservation of mineral, oil and gas rights by prior owners of said real property or by the United States of America or the State of Idaho.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said First Party, and said First Party's heirs, the said premises in the quiet and peaceable possession of said Second Party, said Second Party's heirs and assigns against the said First Party, First Party's heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said First Party has hereunto set their hands and seals, the day and year first above written.

Gary L. Hatch
GARY L. HATCH

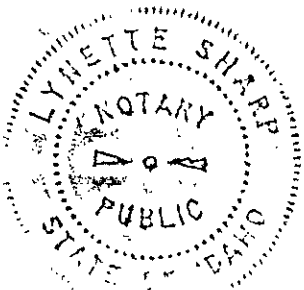
LaRae Hatch
LaRAE HATCH

STATE OF IDAHO)
 : ss.
County of Caribou)

On this 18th day of July, 1995, before me the undersigned, a Notary Public in and for said County and State, personally appeared **Gary L. Hatch and LaRae Hatch, 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 official seal, the day and year in this certificate first above written.

Lynette Sharp
NOTARY PUBLIC for the State of Idaho
Residing at: Soda Springs, Idaho
Commission expires: 11/8/99



Phone 547-3147

25 West Center

P.O. Box 322

GARY L. STOOR
PROFESSIONAL ENGINEER
AND SURVEYOR
Soda Springs, Idaho 83276
May 17, 1995

DESCRIPTION FOR GARY HATCH

The following described tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T.7S., R.38E., B.M., Caribou County, Idaho:

Beginning at a point on the North line of Section 14, T7S, R38E, B.M., said point being 510.0 ft West of the Northeast Corner of said Section 14, and running thence South at Right Angles 209.0 ft; thence West 370.0 ft; thence South 1111.0 ft; thence West 409.5 ft to the Center of the Kelly Toponce Road Right of Way; thence N 0°27'21"E 1320.04 ft along the Center of said Right of Way; thence East 804.0 ft to the Point of Beginning and containing 15.09 Acres.

150446

DEED OF TRUST

THIS DEED OF TRUST, Made this 18th day of July, 1995,
 BETWEEN JEFFREY L. ASKEW and JODY R. ASKEW, husband and wife
 herein called GRANTOR,
 whose address is 2774 Kelly Toponce Road, Bancroft, ID 83217
CARIBOU LAND TITLE, INC., herein called TRUSTEE, and GARY L. HATCH and LaRAE HATCH, husband and
wife,

....., herein called BENEFICIARY,
 WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH
 POWER OF SALE, that property in the County of Caribou, State of Idaho, described as
 follows, and containing not more than twenty acres:

Township 7 South, Range 38 East of the Boise Meridian:

Section 14: A tract in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 14, more particularly described as
 follows:

Beginning at a point on the North line of said Section 14, said point
 being 510 feet West of the Northeast Corner of said Section 14, and running
 thence South at a right angle 209 feet;
 thence West 370 feet;
 thence South 1111 feet;
 thence West 444.5 feet to the center of the Kelly Toponce Road right of way;
 thence North 0°27'21" East 1320.04 feet along the center of said right of way;
 thence East 804 feet,
 to the point of beginning

EXCEPT THEREFROM any portion thereof lying within the right of way of a
 County Road.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon
 Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of
EIGHT THOUSAND FIVE HUNDRED AND NO/100ths Dollars, (\$8,500.00),

final payment due AUGUST 1, 2000

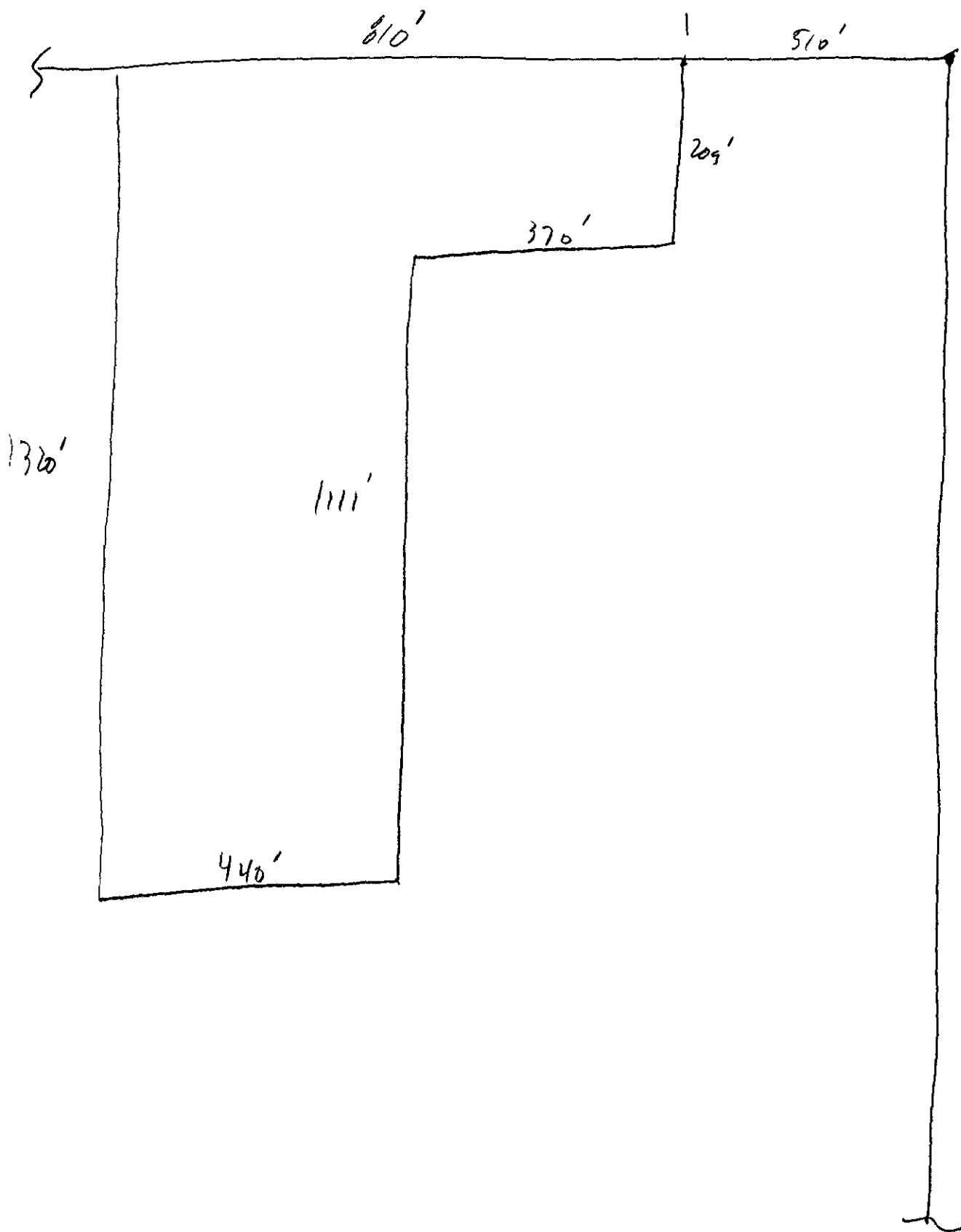
and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either
 of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances
 or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances
 or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it
 shall stand as continuing security until paid for all such advances together with interest thereon.

THE PROMISSORY NOTE OR NOTES, AND ANY EVIDENCES OF FURTHER AND/OR ADDITIONAL ADVANCES MUST BE PRESENTED WITH THIS REQUEST.

Deliver to:

The undersigned is the legal owner and holder of all indebtedness secured by the within Deed of Trust. All sums secured thereby have been fully
 paid. You are hereby requested and directed to cancel all evidences of indebtedness secured by said Deed of Trust and to reconvey, without warranty,
 the estate now held by you under the same.

, Trustee:



8614

September 30, 1997

Harold W. Jones
Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, Idaho 83402

Dear Mr. Jones,

Around June of 1997, I was in to see Steve Ball about getting my change of ownership completed. I also visited with you and the receptionist, your advice to fix the problems on this water right was to have Mr. Hatch amend his original claim, fixing the errant place of use (#10) and then proceed with a new change of ownership from myself.

Please find enclosed those items and Mr. Hatch's new claim for stockwater right with a check for \$25.00.

As you may remember, I also talked with you about transferring some of this water right to a different property. That discussion ended with the need for a letter from my mortgage company allowing the transfer. I have since obtained that letter and permission but the plans surrounding the water transfer have fallen through. At this time, I only need to complete the change of ownership.

Sincerely,



Jeff Askew
2776 Kelly Toponce Rd.
Bancroft, Idaho 83217

648-7848 ext 20 work
648-7162 Home

RECEIVED

OCT 02 1997

Department of Water Resources
Eastern Region

AJ0749NP
No. A29-00070

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

DATE: 07/14/98
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEFFREY L ASKEW 2776 KELLY TOPONCE RD BANCROFT ID 83217 (208) 648-7162	04/19/1904	IRRIGATION	04-01 11-01	0.29 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.29 CFS 37.50 AFA

Water Source: SPRING

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion:

T07S R38E S11

SWSESW

CARIBOU County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	38E 14	:	15	:		:		:		:		:		:		:		15.0
																	TOTAL ACRES	15.0

POU County: CARIBOU

Non-Irrigation Uses: S/200 RANGE CATTLE

Other Rights: NONE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 29.

Remarks: GEN OWNERSHIP CHANGED BY SVH 6-23-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 29

Field Inspection Flag:
Presumption Flag: