

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: A29-07109
Date Received: 4/24/1992
Receipt No: E011887
Received By: _____

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

1. Name: BEN CHAVERS 208-775-4982
Address: 2023 N INKOM ROAD
INKOM ID 83245

AND/OR

Name: E LOUISE CHAVERS 208-775-4982
Address: 2023 N INKOM ROAD
INKOM ID 83245

2. Date of Priority: JAN 12, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	22	SE	SE			BANNOCK

5. Description of diverting works:
ONE WELL; 150' DEEP; 1HP PUMP; 6" CASING/STEEL PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	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 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 3 HORSES,

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	22	SE	SE		IRR	3.0
			SE	SE		STOCK	
			SE	SE		DOMEST	
					Section Acres		3.0
					Total Acres		3.0

11. Place of use in counties: BANNOCK

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: LICENSE

Water Right Number: 07109

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: _____

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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 _____

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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: A29-07109 39576
Ident. Number 31-7109
Date Received 30 Jan 1990
Receipt Number E011887

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

A2907109

Please type or print clearly

1. Name of Claimant (s) BREN CHAYERS & OR E. LOUISE CHAYERS Phone (208) 775-4982

Mailing Address 2023 N. INKUM RD. INKUM, I.D. Zip 83245

2. Date of Priority (Only one (1) per claim) JAN 12, 1973

3. Source of water supply (a) A GROUND WATER SOURCE
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of SE 1/4 1/4 of SE 1/4 1/4, Govt. Lot, 7S B.M., County of BANNOCK

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. (1) WELL, EST. DEPTH 150 FT.
w/ (1) 1 HP PUMP INSTALLED - CASD w/ 6" STEEL PIPE

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC USE ^{STOCKWATER} purposes from JAN 1 to DEC 31 amount 0.04 CFS or _____

For IRRIGATION purposes from MAY 15 to NOV 15 amount 0.04 CFS or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 7.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER (3) HORSES ; DOMESTIC (1) HOUSEHOLD

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	36E	22																3	3
																		D/S	

Total number of acres irrigated (3) AC.

11. In which county (ies) are lands listed above as place of use located? BANNOCK

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
FLOOD RIGHTS FROM DITCH or None ()

14. Remarks:

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NOV 13 1992

Last Name CHAYERS Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 29-7109

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Ben Chavers Date 1-29-90

Louise Chavers Date 1-29-90

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 29 day of Jan 19 90

SEAL

Notary Public Jessie Sorenson

Residing at Boonville Idaho

My Commission Expires 11-17-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

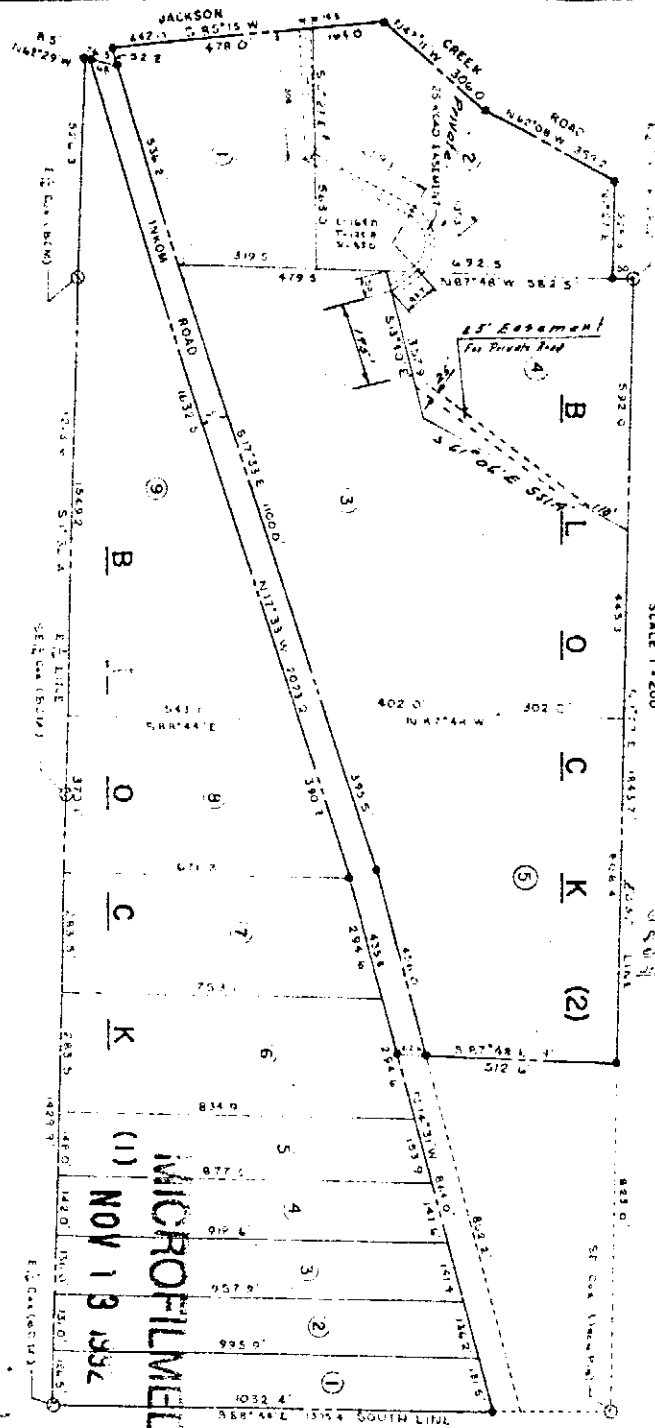
Date _____

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NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



OWNER

We undersigned, hereby certify that we are the owners of the following described premises and that the following is a correct description of the land and is in the Plat of "Murdock Subdivision" in Bannock County Idaho. Beginning at the East 1/4 Corner on the south line of Section 22, T7S, R36E, B.M. Thence S88°40' E, along the south line of said section 22, 134.4 feet more or less to the western R.O.W. line of Jackson Creek Road. Thence N77°31' W along the said R.O.W. line 114.7 feet to the corner of Section 22, T7S, R36E, B.M. Thence N87°48' W 582.5 feet, more or less to the southerly R.O.W. line of the Jackson Creek Road. Thence N62°24' W 359.2 feet. Thence N42°17' W 306.5 feet. Thence S85°31' W 420.0 feet more or less to the easterly R.O.W. line of the Jackson Road. Thence S17°33' E 52.2 feet. Thence N62°24' W 28.5 feet more or less to the east line of said section 22. Thence S17°33' E 64.5 feet and 319.8 feet more or less to the point of beginning. Excepting therefrom the R.O.W. of the Jackson Road. Any future mention of the owners to include all of the above described land and that said premises are to be used for agricultural purposes and that the dimensions of the lots are as shown. The easement shown is for the construction of a future road. In witness whereof we have hereunto set our hands this 14th day of April, 1973.

/s/ Norris M. Murdock
/s/ Duane O. Lish
/s/ Ronald T. Davis
/s/ Robert L. Shaw
/s/ Sam Lish
/s/ Karl Van Belnap
/s/ Ken B. Bosworth
/s/ Jeremy Webster
/s/ J. T. Palmer
/s/ Billy Joe Nafus
/s/ Stan Hamlin
/s/ Patrick R. Eldridge
/s/ Marla J. Murdock
/s/ Beth A. Lish
/s/ Karen B. Davis
/s/ Louise Shaw
/s/ Dona Lish
/s/ Ellen Belnap
/s/ Pamela R. Bosworth
/s/ Judith C. Webster
/s/ Edna Palmer
/s/ Sharon A. Nafus
/s/ Leana Hamlin
/s/ Swenold E. Eldridge

On the 14th day of April 1973 Before me, Notary Public and for the State of Idaho, personally appeared the foregoing persons and they acknowledged to me that they executed the above certificate as witnesses whereof, I have hereunto set my hand and official seal this 14th day of April, 1973.

RECORDER

Subdivision Plat No. S07025
 Book 8 Page 45
 Registered this 11:24 AM - 4-21-73
 Notary Public
 Tim Erikson

HEALTH DEPARTMENT

Sanitary Record, in Use of Force under
 Title 50, Chapter 3, Idaho Code
 Tim Erikson
 County Clerk

I certify that this is a true copy of the original Plat of "Murdock Subdivision".
 County Clerk

ENGINEER

I, L. H. Ballif, a Registered Professional Engineer of the State of Idaho hereby certify that a survey was made under my direction of the premises described in the Owner's Certificate. I further certify that the Plat upon which this Certificate appears was made under my direction and that the Plat shows the shape and the area of the land described. This is the same known as "Murdock Subdivision" Bannock County Idaho, and that the Plat correctly represents the shape and area as marked on the ground.

/s/ L. H. Ballif
L. H. Ballif CE 399
 State of Idaho
 County of Bannock
 On the 10th day of April, 1973. Before me a Notary Public in and for the State of Idaho personally appeared L. H. Ballif and he acknowledged to me that he executed the above Certificate. In witness whereof I have hereunto set my hand and official seal this 10th day of April, 1973.

/s/ Roger W. Horrocks
 Notary Public Residing in Pocatello Idaho

COUNTY COMMISSIONERS

/s/ Boyd Henderson Chairman of the Board of County Commissioners
 Commissioners certify that the Plat of "Murdock Subdivision" was accepted and approved by resolution of the Board this 19th day of April, 1973.

/s/ Boyd Henderson
/s/ Jim Erikson
Boyd Henderson
County Engineer
Bert & Louise Chambers
 COUNTY ENGINEER

The Plat approved this 13th day of December, 1972.

/s/ L. H. Ballif
 County Engineer

CITY OF INKOM

By the City of Pocatello this 2nd day of March, 1973.

/s/ L. H. Ballif
/s/ Sherry Helmondollar
Mayor
City Clerk

Legend:
 Transverse Line
 Easement Line
 Initial Point 2"x30" Iron Pipe
 Joint Corners 1/2"x30" Iron pins
 External Boundary Corners 5/8"x30" Iron pins

MURDOCK SUBDIVISION

A SUBDIVISION IN THE E 1/2 E 1/2 OF SECTION 22, T7S, R36E, D.M.

BANNOCK COUNTY IDAHO

DATE 11-29-72 L. H. BALLIF ASSOCIATES JOB NO. 72126
 CONSULTING ENGINEERS
 POCA TELLO IDAHO SHEET

Log for claim A29-07109

Spatial Dynamics BTD

9/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	22	SESE	3	2.3	POD placement?
Totals:			3	2.3	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BEN CHAVERS	01/12/1973	IRRIGATION	03-15 11-15	0.040 CFS	
C	E LOUISE CHAVERS		STOCKWATER	01-01 12-31	0.040 CFS	
	2023 N INKOM RD		DOMESTIC	01-01 12-31	0.040 CFS	
	INKOM ID 83245					
	(208) 775-4982					
TOTAL DIVERSION:					0.040 CFS	
CONSUMPTIVE USE:						7.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T07S R36E S22

SESE

BANNOCK 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	SUM
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
07S	36E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	03 : 3.0
TOTAL ACRES															3.0	

Place of use Legal Description for: STOCKWATER

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	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
07S	36E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	S :

Place of use Legal Description for: DOMESTIC

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	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
07S	36E	22	:	:	:	:	:	:	:	:	:	:	:	:	:	D :

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 3 HORSES,

Other Rights: NONE

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

29-10680 29-10689 29-10747 29-11179 29-11257 A29-10680 A29-10689 A29-10747 A29-11179 A29-11257

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00294 A29-00294C A29-00294F A29-00294G A29-00294H A29-00294J A29-10071 A29-10688 A29-12014

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. A29-07109

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 239

Audit: 04/24/92 THOMPSON 03/29/95 POST-STD 04/12/00 CVANDERM

RECEIVED

NOV 12 1976.

APPLICATION FOR AMENDMENT Department of Water Resources

Comes now Jeff L. &/or Judith C. Webster of (address) _____

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-7109, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE
4 4, Sec. Twp.
 Rge. , B. M., County of . Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount	<u>0.04</u>	for	<u>Domestic</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>	(both dates inclusive)
Amount	<u>0.04</u>	for	<u>Irrigation</u>	purposes from	<u>March 15</u>	to	<u>Nov. 15</u>	(both dates inclusive)
Amount	<u> </u>	for	<u> </u>	purposes from	<u> </u>	to	<u> </u>	(both dates inclusive)
Amount	<u> </u>	for	<u> </u>	purposes from	<u> </u>	to	<u> </u>	(both dates inclusive)

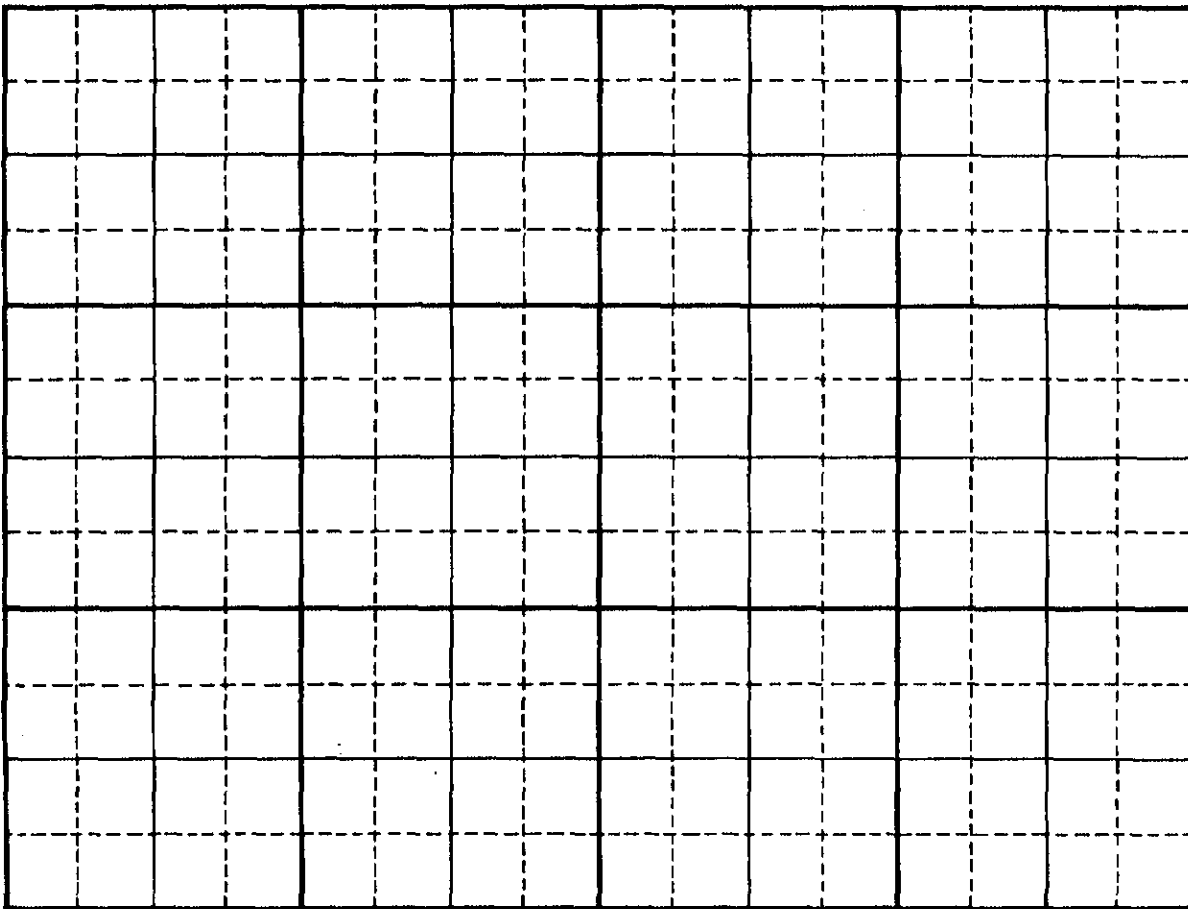
(cfs or acre feet per annum) TOTAL: 0.04 cfs

3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at WYOMING, this 17th day of NOVEMBER, 19 76

[Signature]
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Department of Water Resources
hereby approve the foregoing application for amendment for Permit No. 29-7109.

Witness my hand this 15 day of November, 19 76

[Signature]
Director

29 7109

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
 (TYPE OR PRINT IN INK)

1. Name of applicant Jeff L. Webster &/or Judith C. Webster
 post office address Route #1, Box 99E, Inkom, Idaho
2. Source of water supply Ground Water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22 Township 7S
Range 36E B.M. Bannock County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
 of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
 Amount .06 for irrig. purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount .02 for stock water purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
 a. .08 cubic feet per second ~~and/or~~
 b. _____ acre feet per annum.
6. Proposed diverting works:
 a. Description of ditches, flumes, pumps, headgates, etc. 1 HP pump, 6" well, 84' deep

 b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
 c. Proposed well diameter is 6 inches; proposed depth of well is 84 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
 b. Estimated construction cost is \$ 1,350.00.
8. Description of proposed uses:
 a. If water is not for irrigation:
 (1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22 Township 7S
Range 36E B.M.
 (2) Amount of power to be generated: _____ hp under _____ feet of head.
 (3) List number of each kind of livestock to be watered 10 head horses

 (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
 (5) If water is to be used for other purposes describe: _____

29 7109

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	36E	22																3	3

Total number of acres to be irrigated 3

c. Describe any other water rights used for the same purposes as described above. 1/2" acre from Rapid Creek - 1" acre decreed

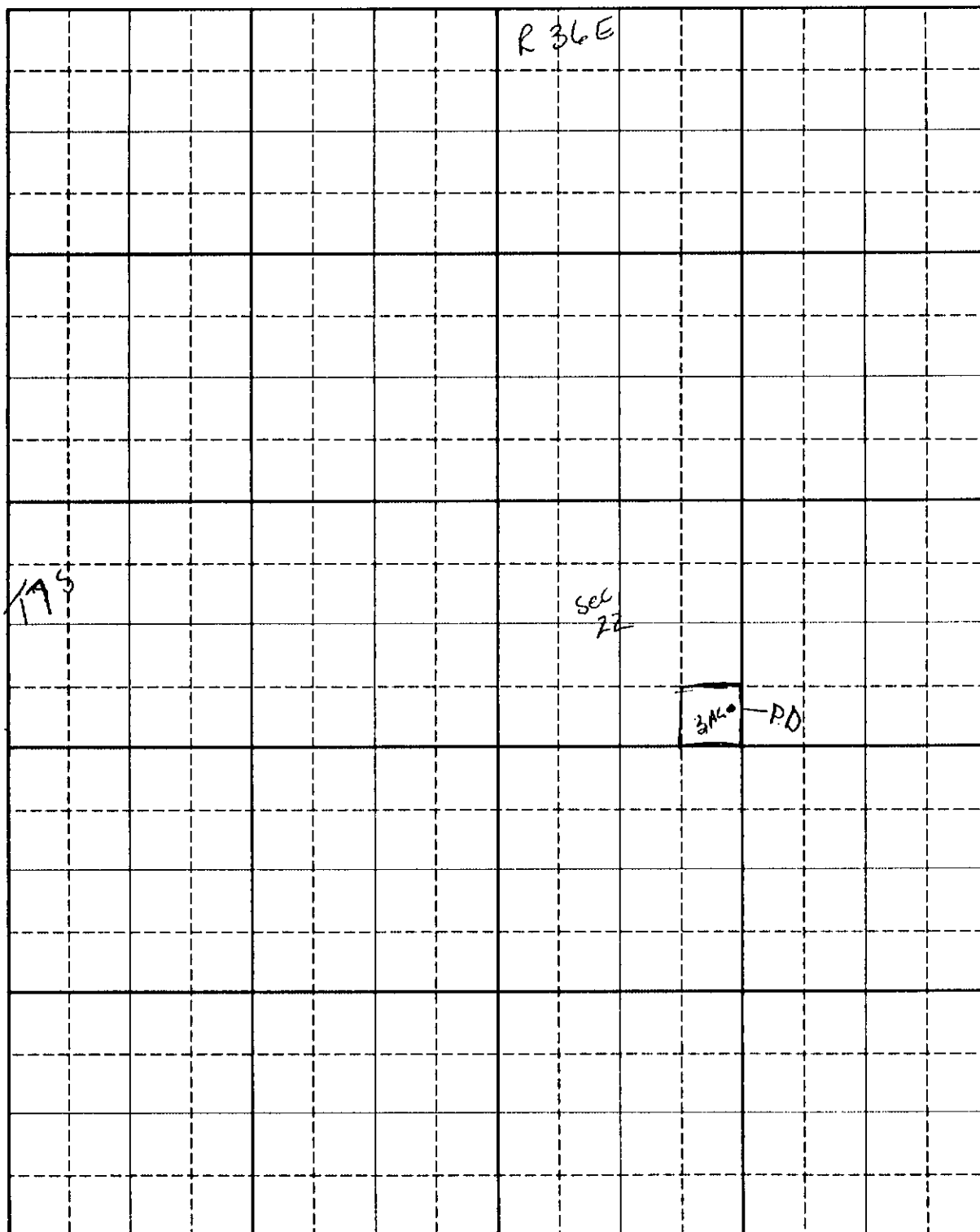
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

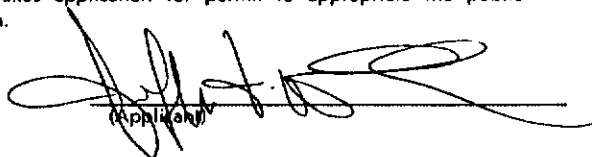
10. Remarks Forest Cagle - well driller

11. Map of proposed project; show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


Applicant

29 7109

29 7109

Received by WHR Date Jan 11, 1972 Time 11:30 Am
 Preliminary check by WHR Fee \$ 10.00
 Receipted by W Date 1-11-72
 Publication prepared by W Date 1-11-72
 Published in Idaho State Journal, Pocatello
 Publication dates 1-11-72
 Publication approved RWD Date 2/5/73
 Priority reduced to 1-12-73 Reason _____

Protests filed by: WHR

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RWD DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7109, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1974.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 7 day of February, 1973.

R. Keith Higin
 Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7109 Priority Jan. 12, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that Jeff L. Webster &/or Judith C. Webster
of Inkom, Idaho, has complied with the terms and conditions of Permit
No. 29-7109 issued pursuant to Application for Permit dated January 12, 1973,
and has submitted proof to the Department of Water Resources on February 28, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2 acre feet</u>
Irrigation	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.04</u> cfs and	<u>7.0 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
8.2 acre feet per year, said waters to be diverted within the SE 1/4 SE 1/4 of Sec. 22,
Twp. 7 S, Rge. 36 E, B. M. in the County of Bannock

Description and location of place of use:

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	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 S	36 E	22																X	Two

Total number of acres irrigated Two

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
November, 19 76.

Director

1944

Phone 775-3759

(name spring, stream, etc.)

RECEIVED

OCT 25 1964

Permitted Exam

Permit No. 29-7109
Examination for b/u

p/q

p/q

p/q

p/q

p/q

p/q

p/q

p/q

p/q

p/q

p/q

p/q

p/q

p/q

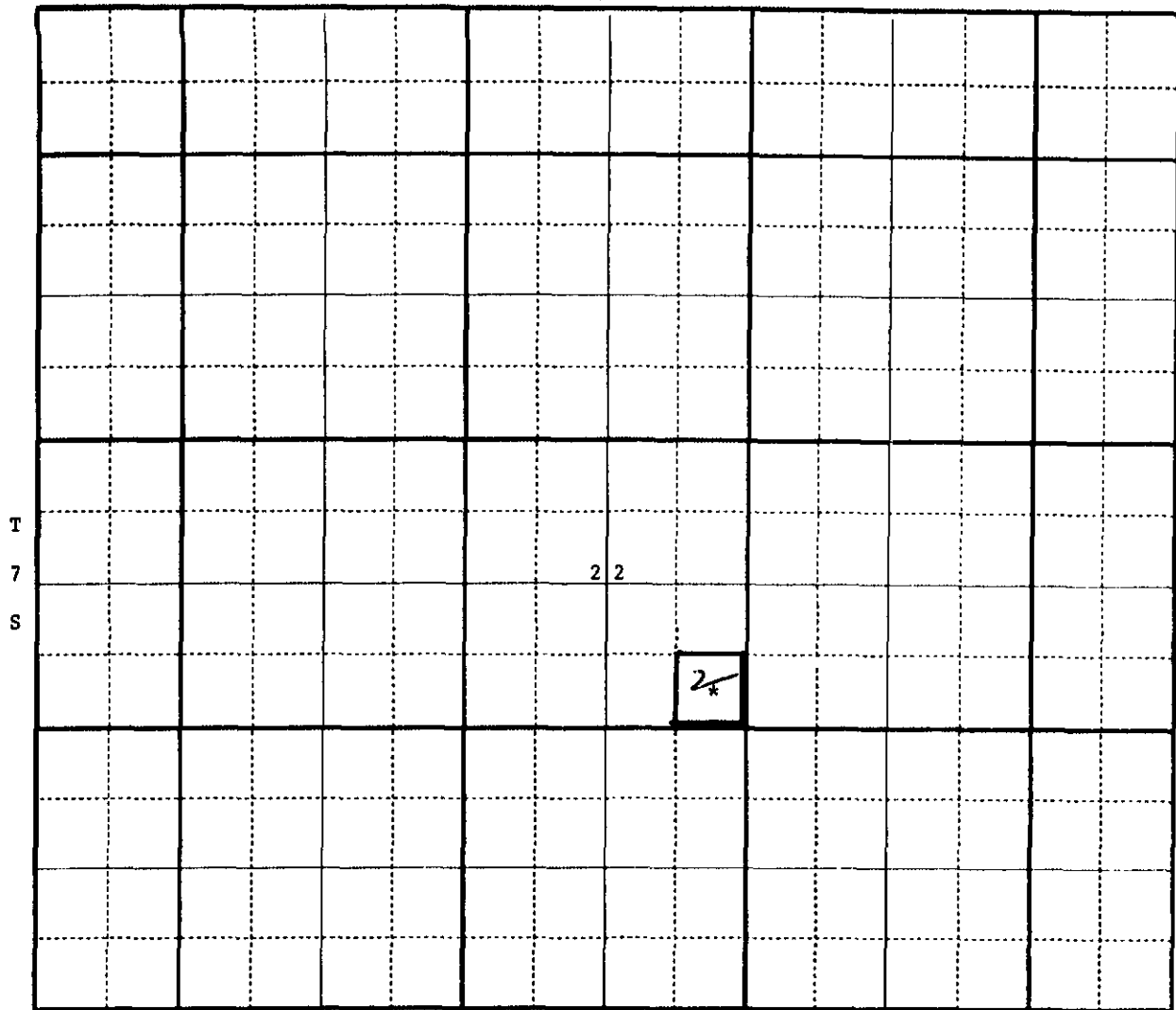


Diagram of System

DATE OF EXAM Sept 1, 1976

ACREAGE
Found 2
Recommended 2

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = .04 c.f.s. V = 7.0 AF/Ann. from MAR 15 to Nov 15
Domestic Q = .04 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured .041 cfs Method of measurement Pit

Total Q recommended .04 cfs Meter No. A-213 Type _____ Condition _____

Total V recommended 8.2 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other ☒ Type of Use: Stock → Domestic
None _____

MEASUREMENT CALCULATION:

$Q = 30 \text{ psi} \times 4.64 \text{ gal} \times 4 \text{ noz} = 18.56 \text{ gal/min} / 4488 = .041 \text{ cfs}$

SYSTEM DESCRIPTION:

1hp. Sub pump 82 gal pressure tank
4 1/4" Rainbirds on portable pipe system.
89' Well 47' to water

REMARKS:

System and land shown by Jeff Webster.
1.5" of water from Rapid Cr. Directed to this
land

Examiner's Signature Bill Rhoads Date Sept 1, 1976

Checked by Ernest M. Carlson Date Oct. 28, 1976

Approved by _____ Date _____



FROM

DATE

1/31/90

TO PROBLEM FILE

SUBJECT A29-07109

According to Dennis Dunn, the claimant insisted on claiming three acres on the notice because he owned three acres. Trance is only for two acres.

Tony

MICROFILMED

NOV 13 1992

SIGNATURE

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 2011887

Date: 01/30/90
Time: 10:44:58

Received
From: CHAVERS. BEN

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$53.00
Total		\$53.00

CHECK 350

WR/NO: A29-07109

*CHANGED FROM A31-07109 on 1/30/90
(WRONG BASIN ASSIGNED ON ORIGINAL RECEIPT)*

Idaho Department of Water Resources

Region: EASTERN

Signature: 

MICROFILMED
NOV 13 1992

DEED OF TRUST

COPY

THIS DEED OF TRUST is made this 27 day of MAY, 1977, among the Grantor, BEN CHAVERS and ELMA LOUISE CHAVERS, HUSBAND AND WIFE (herein "Borrower"), AMERICAN LAND TITLE CO. (herein "Trustee"), and the Beneficiary, IDAHO BANK AND TRUST CO, a corporation organized and existing under the laws of ID, whose address is P.O. BOX 1788, POCA TELLO ID 83201 (herein "Lender").

BORROWER, in consideration of the indebtedness herein recited and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of BANNOCK, State of Idaho:

PARCEL I:

A TRACT OF LAND IN THE SE1/4 SE1/4 OF SECTION 22, TOWNSHIP 7 SOUTH RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 22, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M.; THENCE NORTH 0 DEGREES 02' WEST, ALONG THE EAST 1/16 LINE OF SAID SECTION 22, 126.5 FEET; THENCE SOUTH 88 DEGREES 59' EAST, 1000.8 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY OF THE INKOM ROAD; THENCE SOUTH 14 DEGREES 51' EAST ALONG SAID RIGHT OF WAY 131.5 FEET, MORE OR LESS TO THE SOUTH LINE OF SAID SECTION 22; THENCE NORTH 88 DEGREES 59' WEST, 1034.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; EXCEPTING THEREFROM THAT PORTION OF THE SE1/4 SE1/4 SECTION 22, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF INKOM ROAD WITH THE SOUTH LINE OF SAID SECTION; THENCE ALONG SAID SOUTH LINE WEST 308.84 FEET; THENCE NORTH 76 FEET, THENCE PARALLEL WITH SAID SOUTH LINE, EAST 287.24 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTH 14 DEGREES 51' EAST 79.01 FEET TO THE POINT OF BEGINNING. PART OF LOT 1, BLOCK 1, MURDOCK SUBDIVISION...

PARCEL II:

THAT PORTION OF THE SE1/4 SE1/4, SECTION 22, TOWNSHIP 7 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF INKOM ROAD WITH THE SOUTH LINE OF SAID SECTION; THENCE ALONG SAID SOUTH LINE, WEST 308.84 FEET; THENCE NORTH 76 FEET; THENCE PARALLEL WITH SAID SOUTH LINE, EAST 287.24 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTH 14 DEGREES 51' EAST 79.01 FEET TO THE POINT OF BEGINNING; PART OF LOT 1, BLOCK 1, MURDOCK SUBDIVISION...

////////

which has the address of INKOM RD, INKOM (Street) (City) ID 83207 (herein "Property Address"); (State and Zip Code)

TOGETHER with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents (subject however to the rights and authorities given herein to Lender to collect and apply such rents), royalties, mineral, oil and gas rights and profits, water, water rights, and water stock, and all fixtures now or hereafter attached to the property, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the property covered by this Deed of Trust; and all of the foregoing, together with said property (or the leasehold estate if this Deed of Trust is on a leasehold) are herein referred to as the "Property";

To SECURE to Lender (a) the repayment of the indebtedness evidenced by Borrower's note dated MAY 27 77 (herein "Note"), in the principal sum of THIRTY THREE THOUSAND FIVE HUNDRED 00/100 Dollars, with interest thereon, providing for monthly installments of principal and interest, with the balance of the indebtedness, if not sooner paid, due and payable on JUNE 1 2007; the payment of all other sums, with interest thereon, advanced in accordance herewith to protect the security of this Deed of Trust; and the performance of the covenants and agreements of Borrower herein contained; and (b) the repayment of any future advances, with interest thereon, made to Borrower by Lender pursuant to paragraph 21 hereof (herein "Future Advances").

Borrower covenants that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property, that the Property is unencumbered, and that Borrower will warrant and defend generally the title to the Property against all claims and demands, subject to any declarations, easements or restrictions listed in a schedule of exceptions to coverage in any title insurance policy insuring Lender's interest in the Property.

MICROFILMED

NOV 13 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7109 Priority Jan. 12, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that Jeff L. Webster &/or Judith C. Webster

of Inkom, Idaho, has complied with the terms and conditions of Permit No. 29-7109 issued pursuant to Application for Permit dated January 12, 1973 and has submitted proof to the Department of Water Resources on February 28, 1975 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.04 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2 acre feet</u>
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.04</u> cfs and	<u>7.0 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
(both dates inclusive)			

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 8.2 acre feet per year, said waters to be diverted within the SE¹SE¹ of Sec. 22,

Twp. 7 S, Rge. 36 E, B. M. in the County of Bannock

Description and location of place of use:

Twp.	Range	Sec.	NE ¹				NW ¹				SW ¹				SE ¹				Totals
			NE ¹	NW ¹	SW ¹	SE ¹	NE ¹	NW ¹	SW ¹	SE ¹	NE ¹	NW ¹	SW ¹	SE ¹	NE ¹	NW ¹	SW ¹	SE ¹	
<u>7 S</u>	<u>36 E</u>	<u>22</u>																<u>X</u>	<u>Two</u>

Total number of acres irrigated Two

DO NOT FILM

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of November, 19 76.

Director