

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: A29-10048
Date Received: 3/13/1989
Receipt No: 606081
Received By: HOW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CATHY LYNN SHER 208-776-5407
Address: BOX 403
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: JUN 01, 1945

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	21	SW	SE			BANNOCK

5. Description of diverting works:
WELL AND PUMP TO BATHHOUSE FOR USE IN APARTMENT COMPLEX

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	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:
COMMERCIAL USE IN BATHHOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	21	SW	SE		COMMER	

11. Place of use in counties: BANNOCK

A29-10048

Page 1

Date: 03/13/89

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NOV 13 1992



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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A HOT WATER WELL. Location is Lot 12 S1/4 to Hall City

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):

Betty L. Shy

Date:

3/13/89

Date:

State of Idaho)

County of

Bonanza

) SS.

Subscribed and sworn (or affirmed) before me this

13th day

of

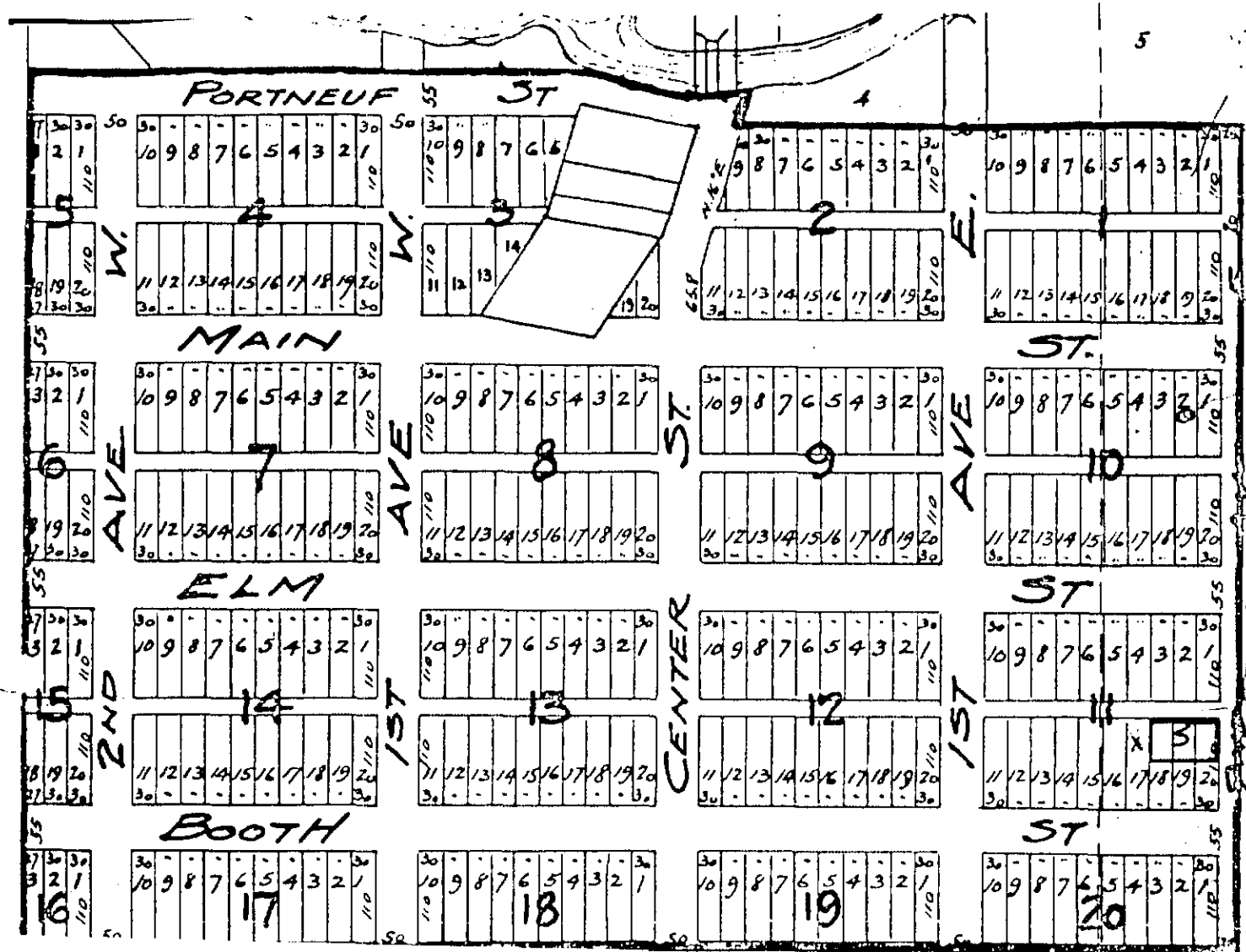
March 19 *89*

Betty L. Shy
Notary Public

Seal

Residing at _____

My Commission Expires _____



A29-10048

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03/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-10048

NAME AND ADDRESS: DENNIS EKSTROM
PO BOX 1245
EULLESS, TX 76039

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/01/1945

POINT OF DIVERSION: T09S R38E S21 SWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
COMMERCIAL	1-01 12-31	0.04 CFS

PLACE OF USE:

COMMERCIAL Within BANNOCK County
T09S R38E S21 SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42 1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM Beneficial Use

1502

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: A29-10048
Date Received: 3/13/1989
Receipt No: E006081
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS EKSTROM 713-952-6542
Address: 3200 S GESSNER NO 358
HOUSTON TX 77063

2. Date of Priority: JUN 1, 1945

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	21	SW	SE			BANNOCK

5. Description of diverting works:
WELL AND PUMP TO BATHHOUSE FOR USE IN APARTMENT COMPLEX

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
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7. Total Quantity Appropriated is:
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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL USE IN BATHHOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	21	SW	SE		COMMER	

11. Place of use in counties: BANNOCK

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NOV 13 1991

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS IS A HOT WATER WELL
LOCATION IS LOTS 1 AND 2 OF BLOCK 10 HALL CITY

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): _____ Date: _____
_____ Date: _____

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 _____

MICROFILMED
NOV 13 1997

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
BRENT O. ROCHE
FRED J. LEWIS
KIRK B. HADLEY
MITCHELL W. BROWN
ERIC S. HUNN

*ALSO MEMBER ILLINOIS BAR

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-0391

TELEPHONE
AREA CODE 208
232-6101

TELEX
208-232-6109

October 2, 1991

RECEIVED

OCT - 4 1991

Department of Water Resources
Eastern District Office

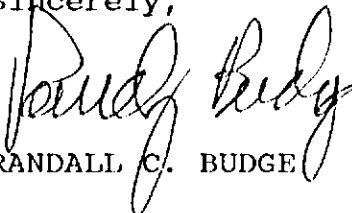
Mr. Harold W. Jones
Water Rights Supervisor
Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

Re: Notice of Claim A29-10048
Sher/Ekstrom

Dear Mr. Jones:

Enclosed please find the signed original "New Property Owner Notice of Change of Water Right Ownership", together with attached recorded Warranty Deed evidencing the transfer of the captioned water right from the former owner, Cathy Lynn Sher, to the new owner, Dennis Ekstrom. Kindly update your records accordingly and contact me if you have any questions.

Sincerely,


RANDALL C. BUDGE

RCB:rr

Enclosure

cc: Dennis Ekstrom

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NOV 13 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

OCT - 4 1991

DATE OF CLOSING: 9/30/91

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 9 S. Range 38 E.
Section 21 SW 1/4 of SE 1/4 of 1/4 Govt. Lot , BM.
Lot S 1, 2, Block, 10, Subdivision/Townsite Hall City, Bannock Cty
If you have additional legal descriptions, please attach separate sheet. (City of Lava)

[] 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: A29-10048

[] Name and Address of Former Owner/Claimant(s)(Seller): Cathy Lynn Sher
P.O. Box 403
Lava Hot Springs, Idaho 83246

[] New Owner/Claimant (Purchaser): Dennis Ekstrom

[] New Mailing Address: 3200 So. Gessner, No. 358
Houston, Texas 77063

[] New Telephone Number: (713) 952 - 6542

[] 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:

X Attach proof of ownership, describe proof attached: Copy of Warranty Deed Attached

(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) *[Signature]* Date 9/30/91
Dennis Ekstrom Date

[] Signature of Former Owner/Claimant(s) *[Signature]* Date 9/30/91
Cathy Lynn Sher 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:

*Letter placed sent to J. [unclear] not
new [unclear] copy [unclear] not
made for file [unclear]*
MICROFILMED
NOV 13 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

91013246

For Value Received

CATHY L. SHER, A SINGLE WOMAN.

the grantor, do hereby grant, bargain, sell and convey unto
DENNIS C. EKSTROM, A SINGLE MAN.

whose current address is
189 E. MAIN STREET, LAVA HOT SPRINGS, ID 83246

the grantee, the following described premises, in BANNOCK County Idaho, to wit:

LOTS 1 AND 2, BLOCK 10, HALL CITY, BANNOCK COUNTY, IDAHO, AS
THE SAME APPEAR ON THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE
OF THE COUNTY RECORDER OF BANNOCK COUNTY, IDAHO.

"TOGETHER WITH ANY AND ALL WATER RIGHTS"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinance and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, THEIR heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: September 10, 1991

Cathy L. Sher
CATHY L. SHER

STATE OF IDAHO, COUNTY OF BANNOCK

On this 30th day of SEPTEMBER, 1991, before me, a notary public in and for said State, personally appeared

CATHY L. SHER

NOTARY SEAL

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Michael R. Anderson

Notary Public

Residing at POCATELLO, Idaho
Comm. Expires 1/20/92

91013246

NO. 91013246
RECORDED AT REQUEST OF
AMERICAN LAND TITLE CO.
'91 SEP 30 P2:51

OFFICIAL BANNER COUNTY CLERK
LARRY R. ANGELO
FEE \$300
CLERK N549
COUNTY CLERK
AN GELO
DUTY MR.

SEPTEMBER 9, 1991

RANDALL BUDGE
PO BOX 1391
POCATELLO ID 83204-0391

RE: SHER/EKSTROM

Dear Mr. Budge:

Enclosed is a copy of Notice of Claim A29-10048 in the name of Cathy Sher. When your client can prove possessory interest, they can file the Notice of Change in Ownership form along with supporting documents or the original claimant can complete the form and both parties sign.

If you have any additional questions, please let me know.

Sincerely,

Harold W. Jones
Water Rights Supervisor

HWJ:jt

Enclosure

File: GC

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NOV 13 1992

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
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POCATELLO, IDAHO 83204-0391

TELEPHONE
AREA CODE 208
232-6101
—
TELEX
208-232-6109

August 30, 1991

RECEIVED

SEP 3 1991

Idaho Department of Water Resources
150 Shoup Avenue
Suite 15
Idaho Falls, Idaho 83401

Department of Water Resources
Eastern District Office

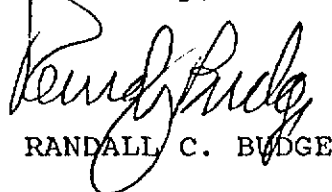
RE: Sher/Ekstrom

Dear Sir/Madam:

We are representing the purchaser of certain property in Lava Hot Springs described as Lots 1 and 2, Block 10, Townsite of City Hall, located at 189 E. Main Street, Lava Hot Springs. A motel is located on the property known as the "Easy Living Inn", which relies upon hot water springs. The transaction is scheduled to close September 30th.

We desire to investigate and evaluate the water rights and insure that they are properly transferred to the buyer at closing. The current owner of the property is Cathy L. Sher. Please provide me as soon as possible with copies of all existing decrees, licenses, permits, and MESRBA claims pertaining to the water rights pertinent to this property. If you would also remit your statement for the costs involved, we will promptly pay the same. Please call if you have any questions.

Sincerely,


RANDALL C. BUDGE

RCB/th
c: Dennis Ekstrom

MICROFILMED
NOV 13 1992