

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 29-13157
Date Received: 5/10/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

VIOLET ISAAK Phone: (208)226-2618

3298 S ISAAK LP
AMERICAN FALLS ID USA 83211

LAMAR ISAAK Phone: (208)226-2618

3298 S ISAAK LOOP
AMERICAN FALLS ID USA 83211

2. Date of Priority: 09/19/1973

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
08S	31E	32	SE	SW	NW	POWER	
08S	31E	32	SE	NW	NW	POWER	

5. Description of diverting works:

2 WELLS 400', 20" CASING 125 HP EL., 420' 20" CASING 175 HP MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	11/01	0.16	41.6

7. Total Quantity Appropriated is:
0.16 C.F.S. and/or 41.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	31E	29	NW	SW	IRRIGATION	10.4
					Section Acres	10.4
					Total Acres	10.4

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

This is a portion of 29-7157 sold to Alan and Norma Andersen. Andersens have applied for transfer 69048 to change POU, POD, and purpose of use.

This Adjudication claim corresponds to the Allocations split 29-13154. See memo in file 29-7157 describing database problems that lead to numbering discrepancy.

15. Basis of Claim: License

01/2/01 1:20 PM
5/11/01 BC 5/17/01

RECEIVED
MAY 07 2001
Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-7157		Yes			

2. The following **REQUIRED** information must be submitted with this form:

A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~ N/A

☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Lama / Violet Isaak

4. New Owner/Claimant(s)

J. Wm ISAAC, SAMUEL W. ISAAC, LUCY M. ISAAC

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

3082 ISAAC LOOP

City, State and ZIP Code

AM. FALLS, IDA, 83211

New Telephone Number

(208) 226 2152

5. Date you acquired the property

5-1-01

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) A. William Isaac Samuel W. Isaac
(include title if applicable) Larry H. Isaac

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Jon W. ISAAC

(Signature of Applicant)

Subscribed and sworn to before me this 1st day of May, 2001.

Bart Brown

(Notary Public)

BART BROWN
NOTARY PUBLIC
STATE OF IDAHO

My commission expires 1-25-05

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESINSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

BILL OF SALE

Violet and LaMar Isaak sell 34 acres of water right 29-7157, from the NW Quarter of the SW quarter, NE quarter of the SW quarter, SE quarter of the SW Quarter, Section 29, Township 8 South, Range 31E; from the NW quarter of The NW quarter, NE quarter of the NW quarter, Section 32, Township 8 South, Range 31E, to Jonathan W. Isaak.

We hereby authorize Jonathan W. Isaak to transfer this portion of the water Right to other land.

Violet Isaak
Violet Isaak

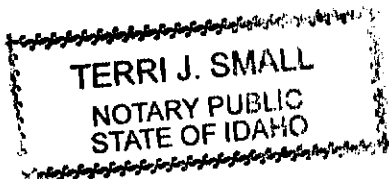
LaMar Isaak
LaMar Isaak

Date _____

State of Idaho)
) SS.

County of Bannock)

Subscribed and sworn (or affirmed) before me this 13th day
Of May 2001
TERRI J. SMALL
Notary Public



Residing at Pocatello ID

My commission expired 4/28/2005

MAY 1,2001

I, A. William Isaak, agree with the conveyance of 34 acres

Of water right that LaMar Isaak sold to Jonathan W. Isaak.

A. William Isaak
A. William Isaak

Jonathan W. Isaak
Jonathan W. Isaak

Place of groundwater sold to Jonathan W. Isaak:

¼	¼	SEC.	TWP.	RGE.	COUNTY
NW	SW	29	8S	31E	POWER
NE	SW	29	8S	31E	“
SE	SW	29	8S	31E	“
NW	NW	32	8S	31E	“
NE	NW	32	8S	31E	“

MEMORANDUM

To: File 29-7157, 29-13154
Fr: Bryce Contor
Date: 4/27/2001
Re: Explanation of Planned Sales and Transfers

The attached map shows the lands currently owned by LaMar and Violet Isaak, outlined in black. Outlined in pink is the approximate licensed place of use under 29-7157. This license was issued for 334 acres. Transfer 5725 proposed to move some of the place of use to the pivot outside the black line, marked out with a black "X." This transfer was rescinded 4/16/2001.

LaMar and Violet have sold 10.4 acres of water right to Alan Anderson, represented by the dark blue rectangle on the north. Mr. Anderson has applied for transfer 69048 (tentative WR number 29-13154), proposing to change place of use, point of diversion, and nature of use, of this part of the water right. This leaves 323.6 acres for 29-7157. When the transfer is approved, the remaining portion of 29-7157 will be given a new number.

The farm, and the remaining portion of the water right, will be split. The lands outlined in heavy red lines will be retained by LaMar and Violet Isaak. The parcel shaded in red will continue to be irrigated, the rest will not be irrigated. LaMar and Violet will retain ownership of 79.6 acres of water right. Of this, ~~33~~ 34 acres will be sold to Steve Isaak, who will apply for a transfer to move the water right to a new point of diversion and place of use. Jonathan W. Isaak

The lands not outlined in heavy red, will be sold to Bill Isaak. The other colored shaded areas represent areas to be irrigated by Bill. The sale contract specifies that Bill will receive a 244-acre share of water right 29-7157. Some of the acres of water right to be sold to Steve Isaak will be taken from areas of lands sold to Bill but not irrigated under the planned systems, and not included within the 244 acres of water right conveyed to Bill in the sale contract.

The remaining 46.6 acres of water right, not conveyed to Bill Isaak or Steve Isaak, will be retained by LaMar and Violet for the time being.



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

May 11, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Alan and Norma Andersen
2459 Lakeview Road
American Falls, Idaho 83211

Re: Water Right 29-7157, 29-13154, 29-13157

Dear Mr. and Mrs. Andersen:

Our records show that you have purchased a part of water right 29-7157 from LaMar and Violet Isaak, and applied for transfer 69048 to move that water right to a new use, on a new location.

The transfer computer program gave your part of the water right the tentative number 29-13154. Since your application, the parent right has been further split by a change of ownership. This has resulted in your part of the right being renumbered 29-13157. A copy of the printout is attached.

You will notice that Mr. and Mrs. Isaak are still listed as the owners of that right, until the transfer is complete. While it doesn't show on the printout, the computer record shows you as the "transfer applicants." The printout also shows the pre-transfer place and nature of use.

There is no action required of you at this time, this is simply for your information. However, you may call if you have concerns or questions.

Later this summer I may need to contact you regarding your other water right claims.

Sincerely,

Bryce A. Contor



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

May 11, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LaMar and Violet Isaak
3298 S Isaak Loop
American Falls, Idaho 83211

Re: Splits of Adjudication Claim 29-7157

Dear Mr. and Mrs. Isaak:

Enclosed are copies of the water rights that have been split from your original license 29-7157, with a map showing the lands associated with each split. Please review carefully the division of lands between yourselves and Jonathan Isaak, and let me know if it needs to be adjusted.

Split 29-13156 is the portion that will remain in your name. Allan Andersen will receive split 29-13157. Until the transfer is complete, your name appears as "current owner," and his as "transfer applicant." Bill Isaak will receive split 29-13158 and Jonathan Isaak will receive 29-13159.

To aid in claims review, it would help me if you could go to the Farm Service Agency office and get me a photo that shows what was irrigated in 1987. It is important that the FSA staff write on the photo that it represents 1987 crop usage, stamp it with an FSA stamp, and sign it. To protect your privacy, FSA has decided not to give us access to these photos any more, so the monkey is on your back.

I may also need to do a field inspection, if so I'll contact you so you may come with me if you wish.

Please call me at 525-7161 if you have concerns or questions. Later in the week is usually better than earlier.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

MEMORANDUM

TO: 29-7157
29-13156
29-13157
29-13158
29-13159

FR: Bryce Contor

Date: 5/10/01

Bryce

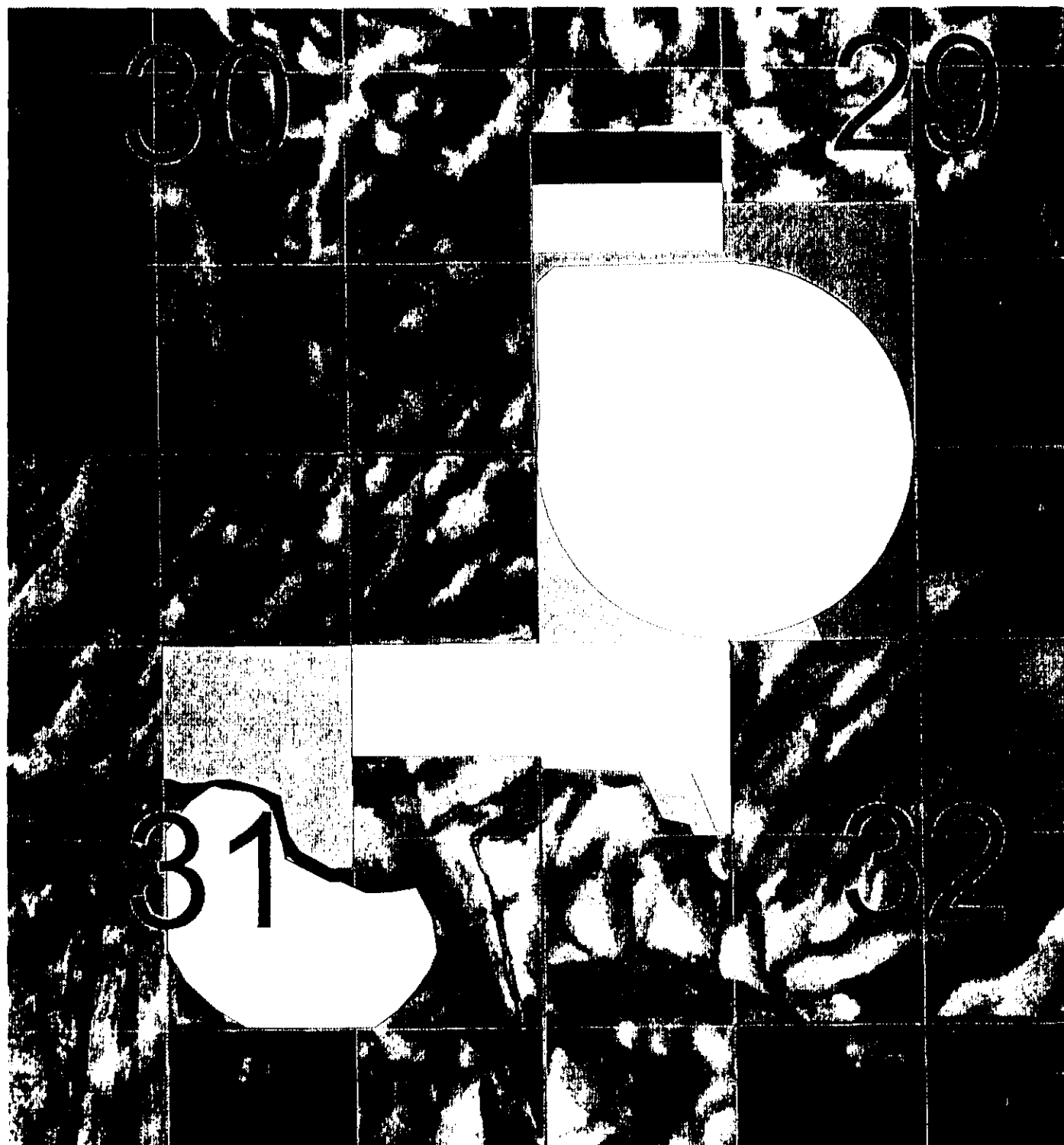
Re: Splits of cfs and acres.

<u>WR #</u>	<u>Acres</u>	<u>cfs</u>	<u>acre ft</u>
Original			
29-7157	334	5.10	1336.0 *
29-13156	45.6	0.69	182.4
29-13157 (see T 69048)	10.4	0.16	41.6
29-13158	244	3.73	976.0
29-13159	34	0.52	136.0

Original paper license has different value; this is the value from part 2 of T 69048.

29-7157

Illustration of Split of Claim



Alan Anderson
Bill Isaak
Jonathan Isaak
LaMar Isaak