

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 OCT 5 PM 12 19

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Subcase No. 47-4172

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

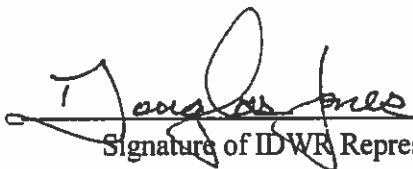
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 10/4/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/5, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Leland Chad Montgomery
Gretchen A Montgomery
1850 E 4500 N
Buhl ID 83316

Lyle King
Irene King
1840 E 4500 N
Buhl ID 83316



Signature of person or attorney mailing the form

09/17/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
47-4172	LELAND CHAD MONTGOMERY 1850 E 4500 N BUHL ID 83316	Disallowed	No lawful appropriation shown.
	GRETCHEN A MONTGOMERY 1850 E 4500 N BUHL ID 83316		



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

October 5, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

LELAND CHAD MONTGOMERY
GRETCHEN MONTGOMERY
1850 E 4500 N
BUHL ID 83316

RE: SRBA Claim(s) 47-4172

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Lyle and Irene King
1840 E 4500 N
Buhl ID 83316

**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 (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
47-4172					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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)	<u>Lyle E. & Irene King</u> <u>1840 E. 4500 N.</u> <u>Buhl, Idaho 83316</u>
4. New Owner/Claimant(s)	<u>Leland Chad and Gretchen A. Montgomery</u> Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address	<u>1850 E 4500 N</u>
City, State and ZIP Code	<u>Buhl, Idaho 83316</u>
New Telephone Number	<u>(208) 543-9055</u>

SEP-12-2007(WED) 15:37

Barber Rosholt & Simpson

(FAX)1208735244

P.003/003

Form 32-007-1 (06/01) 12/2006

5. Date you acquired the property

February 22, 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per year, etc.)	Description (acres, number and type of stock, horses, etc.)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

[Signature]
Gretchen A. Montgomery (if applicable)
[Signature]
Gretchen A. Montgomery (if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

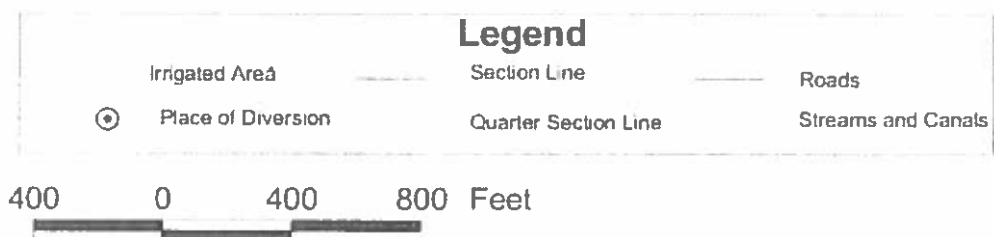
For IDWR Office Use Only:

Received by _____ Date _____
Received by _____ Date _____
Processed by _____ Date _____

Receipt Amt. _____
Receipt No. _____
WR _____ Date _____

Notice of Change in Water Right Ownership - Form, Page 2 of 2

01/15/2001



SPATIAL DYNAMICS

* Color Photo on file at the Department

TF30889

WARRANTY DEED

For Value Received **Robert R. Rohrdanz** who acquired title as **Robert H. Rohrdanz and Keiko O. Rohrdanz, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Leland Chad Montgomery and Gretchen A. Montgomery

whose address is: **1850 E 4500 N, Buhl, ID 83316**

Twin Falls County, Idaho

Recorded for:
FIRST AMERICAN TITLE CO.

03:28pm Feb.22,2002
2002 - 003414

No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD

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

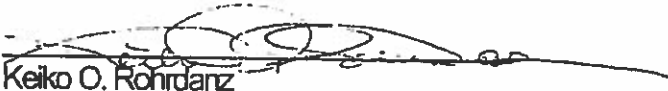
See attached legal description

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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: February 22, 2002

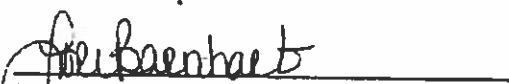

Robert R. Rohrdanz

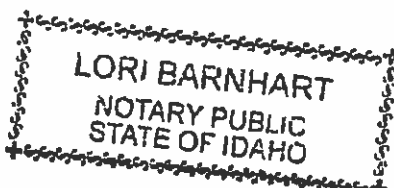

Keiko O. Rohrdanz

STATE OF Idaho

ss.
COUNTY OF Twin Falls

On this 22nd day of February, 2002, before me the undersigned, personally appeared Robert ^{P. (L)}H. Rohrdanz and Keiko O. Rohrdanz, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public of Idaho
Residing at: Twin Falls, Id
Commission Expires: 1/10/06



PARCEL 1

Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 10: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the South 20 acres of Lot 7;

EXCEPT a strip of land along the West boundary line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particular described as follows:

Commencing at the Southwest corner of said 40 and running;

Thence North along the said 40 line to the North boundary line of said 40;

Thence East along the North boundary line of said 40, a distance of 66 feet;

Thence South and parallel with the West boundary line of said 40 to the South boundary thereof;

Thence West along the South boundary line of said 40 to the POINT OF BEGINNING.

AND EXCEPTING THEREFROM the following described tract of land lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and in Lot 7 of Section 10, Township 9 South, Range 15 East, Boise Meridian, bounded and described as follows: Beginning at the South quarter corner of said Section 10;

Thence running West, along the South boundary of said Section for a distance of 1277.7 feet to a point 66.0 feet East of the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence North 0°14' West along a line parallel to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, for a distance of 820.0 feet;

Thence North 89°57' East for 1162.1 feet;

Thence South 57°44' East for 504.0 feet;

Thence North 81°45' East for 241.6 feet;

Thence North 27°59' East for 65.3 feet;

Thence North 57°08' East for 72.4 feet;

Thence North 25°56' East for 181.5 feet;

Thence North 2°15' East for 81.0 feet;

Thence North 28°28' East for 191.7 feet;

Thence North 14°51' East for 914.3 feet, more or less to the North boundary of the South twenty acres of said Lot 7;

Thence East along said boundary for 288.9 feet to the East boundary of said Lot 7;

Thence South 0°15' East along said boundary for 1980.0 feet to the South boundary of said Section 10;

Thence West along said boundary for 1343.7 feet to the South quarter corner of said Section 10 the POINT OF BEGINNING.

AND ALSO EXCEPT

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 10: A part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

Beginning at the South quarter corner of said Section 10;

Thence West 1277.7 feet to a point 66 feet East of the SW corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence North 00°14' West, along a line parallel to the West boundary for a distance of 820 feet to the TRUE POINT OF BEGINNING;

Thence North 89°57' East, for 1162.1 feet;

Thence Northeasterly to the Northeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence West to a point 66 feet East of the Northwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 00°14' East, along a line parallel to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

PARCEL 2

A parcel of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho described as follows:

Commencing at the South Quarter corner of Section 10;

Thence West along the South boundary of Section 10 1277.7 feet to a point 66 feet East of the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence North 0°14' West along a line parallel to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance 820.0 feet;

Thence North 89°57' East 1162.1 feet to the TRUE POINT OF BEGINNING, said point being the most Westerly corner of the parcel conveyed to Robert Rohrdanz, et al by deed recorded November 17, 1993 as Instrument No. 1993017253;

Thence North 13°08'23" East along the West line of said Rohrdanz parcel 508.73 feet more or less to the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 24°58'39" West 546.22 feet to a point on the line above described as (North 89°57' East);

Thence North 89°57' East along said line 115.00 feet more or less to the POINT OF BEGINNING.

PARCEL 3

An easement for the purpose of ingress, egress and utilities over a strip of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 9 South, Range 15 East, Boise Meridian, more particularly described as follows;

Beginning at the Southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10;

Thence West a distance of 618.6 feet along the Southerly boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;

Thence West a distance of 25.00 feet along the Southerly boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence North a distance of 845.00 feet;

Thence North 89°57' East a distance of approximately 528 feet, more or less, to the Westerly boundary of Parcel No. 1 above;

Thence Southwesterly approximately 25.00 feet along said Westerly boundary to a point which bears North 0°14' West a distance of 820.00 feet, and North 89°57' East a distance of 1228.1 feet from the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence South 89°57' West a distance of 503 feet;

Thence South 0°14' East a distance of 820.00 feet, more or less to the TRUE POINT OF BEGINNING.

Deed being re-recorded to include additional property.

Twin Falls County, Idaho

Recorded for:
JONES, CHARTERED

11:00am Jun. 18, 1999

1999-011591

No. of Pages: 5 Fee: \$15.00

ROBERT S. FORT

Ex-Officio Recorder

Deputy: CM

CORRECTED
WARRANTY DEED

Twin Falls County, Idaho

Recorded for:
JONES

12:54pm Jun. 09, 1999

1999-010970

No. of Pages: 3 Fee: \$9.00

ROBERT S. FORT

Ex-Officio Recorder

Deputy: B

For Value Received Lana Collins, a single woman, and Lana Collins, personal representative of the David R. Collins Estate, hereinafter referred to as "Grantor," whether one or more, does hereby grant, bargain, sell and convey unto Robert H. Rohrdanz and Keiko O. Rohrdanz, husband and wife, hereinafter referred to as Grantee, whether one or more, whose current address is 1306 Melody Drive, Idaho Falls, ID 83402, the following described premises, in Twin Falls County, Idaho, to wit:

See Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises, that they are free from all incumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 14th day of June, 1999

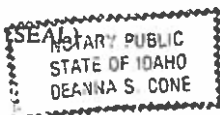

Lana Collins, a single woman


Lana Collins, Personal Representative of the
David R. Collins Estate

STATE OF IDAHO)
SS
County of Bannock)

On this 4TH day of JUNE, 1999, before me, the undersigned Notary Public, in and for said State, personally appeared Lana Collins, a single woman and Lana Collins, personal representative of the David R. Collins Estate, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same

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



Deanina
NOTARY PUBLIC-STATE OF IDAHO
My Commission expires 6-8-99

Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho
Section 10: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the South 20 acres of Lot 7
EXCEPT a strip of land along the West boundary line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

COMMENCING at the Southwest corner of said 40 and running;
THENCE North along the said 40 line to the North boundary line of said 40;
THENCE East along the North boundary line of said 40, a distance of 66 feet;
THENCE South and parallel with the West boundary line of said 40 to the South boundary thereof;
THENCE West along the South boundary line of said 40 to the POINT OF BEGINNING.

AND EXCEPTING THEREFROM the following described tract of land lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and in Lot 7 of Section 10, Township 9 South, Range 15 E., B.M., bounded and described as follows:

BEGINNING at the South quarter corner of said Section 10;
THENCE running West, along the South boundary of said Section for a distance of 1277.7 feet to a point 66.0 feet East of the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE North 0°14' West along a line parallel to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, for a distance of 820.0 feet;
THENCE North 89°57' East for 1162.1 feet;
THENCE South 57°44' East for 504.0 feet;
THENCE North 81°45' East for 241.6 feet;
THENCE North 27°59' East for 65.3 feet;
THENCE North 57°08' East for 72.4 feet;
THENCE North 25°56' East for 181.5 feet;
THENCE North 2°15' East for 81.0 feet;
THENCE North 28°28' East for 191.7 feet;
THENCE North 14°51' East for 914.3 feet to the North boundary of the South twenty acres of said Lot 7;
THENCE East along said boundary for 288.9 feet to the East boundary of said Lot 7;
THENCE South 0°15' East along said boundary for 1980.0 feet to the South boundary of said Section 10;
THENCE West along said boundary for 1343.7 feet to the POINT OF TERMINUS.

AND ALSO EXCEPT

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho
Section 10: A part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:
BEGINNING at the South quarter corner of said Section 10;
THENCE West 1277.7 feet to a point 66 feet East of the SW corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE North 00°14' West, along a line parallel to the West boundary for a distance of 820 feet to the TRUE POINT OF BEGINNING;
THENCE North 89°57' East, for 1162.1 feet;
THENCE Northeasterly to the Northeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE West to a point 66 feet East of the Northwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE South 00°14' East, along a line parallel to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

BUT INCLUDING the following described tract conveyed by Warranty Deed recorded Instrument No. 1998-014169:

A Parcel of land located in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho; being more particularly described as follows

COMMENCING at the South Quarter corner of Section 10. Said Point lies South 89°52'58" East 2688.06 feet from the Southwest corner of Section 10
THENCE North 89°52'58" West 1278.03 feet (shown of record to be 1277.7 feet) along the South boundary of Section 10.
THENCE North 00°07'47" East 820.00 feet.
THENCE South 89°51'38" East 1162.57 feet (shown of record to be 1162.1 feet) to the REAL POINT OF BEGINNING.
THENCE North 13°08'23" East 508.73 feet to the Northeast corner of SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10.
THENCE South 24°58'39" West 546.22 feet.
THENCE South 89°51'38" East 115.00 feet to the REAL POINT OF BEGINNING.

AND INCLUDING: An easement for the purpose of ingress, egress and utilities over a strip of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 9 South, Range 15 E., B.M., more particularly described as follows:
BEGINNING at the Southeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10;
THENCE West a distance of 618.6 feet along the southerly boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;
THENCE West a distance of 25.00 feet along the southerly boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE North a distance of 845.00 feet;
THENCE North 89°57' East a distance of approximately 528 feet to the westerly boundary of the above described tract;
THENCE Southwesterly approximately 25.00 feet along said westerly boundary to a point which bears North 0°14' West a distance of 820.00 feet; and
North 89°57' East a distance of 1228.1 feet from the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$,
THENCE South 89°57' West a distance of 503 feet;
THENCE South 0°14' East a distance of 820.00 feet to the TRUE POINT OF BEGINNING.

STATE OF IDAHO
County of Bannock } SS

I hereby certify that the foregoing instrument
is a true and correct copy of the original on
file in this office.

Dated Feb 23 1999
Barry W. Ghen, Clerk of the District Court

I hereby certify that the foregoing instrument is
a true and correct copy of the original on file in

FEB 23 1999

Barry W. Ghen, Clerk of the District Court

Deputy Clerk of Magistrate Division

Thomas J. Holmes
JONES, CHARTERED
Attorneys at Law
P. O. Box 967
415 South Arthur
Pocatello, Idaho 83204
(208) 232-5911

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BANNOCK

In the Matter of the Estate of)

DAVID R. COLLINS,)

Deceased)

Case No SPIE 99-00027

LETTERS OF PERSONAL
REPRESENTATIVE

Twin Falls County, Idaho
Recorded for:
JONES

12:53pm Jun 09, 1999
1999 - 010969
No. of Pages: 1 Fee: \$3.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: B

THE STATE OF IDAHO

Know all people by these presents

WHEREAS Lana Collins was appointed and qualified as general Personal Representative
of the above-named Decedent by this Court, with all the authority granted to a personal
representative by law.

NOW, THEREFORE, these Letters are issued as evidence of such appointment and
qualification and authority for Lana Collins to do and perform all acts which may be required by
law.

SO ORDERED.

DATED this _____ day of FEB 23 1999.

Barry W. Ghen
MAGISTRATE

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

***** SPACE ABOVE FOR RECORDER ***** 600
34210M1.

WARRANTY DEED

FOR VALUE RECEIVED LYLE KING AND IRENE A. KING, husband and wife, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto ROBERT ROHRDANZ AND KEIKO ROHRDANZ, husband and wife AND DAVID R. COLLINS AND LANA D. COLLINS, husband and wife, hereinafter called grantees, whose address is: 1438 LOS ALTOS WAY, POCA TELLO, ID 83401, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho
Section 10: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the South 20 acres of Lot 7

EXCEPT a strip of land along the West boundary line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

COMMENCING at the Southwest corner of said 40 and running;

THENCE North along the said 40 line to the North boundary line of said 40;

THENCE East along the North boundary line of said 40, a distance of 66 feet;

THENCE South and parallel with the West boundary line of said 40 to the South boundary thereof;

THENCE West along the South boundary line of said 40 to the POINT OF BEGINNING.

AND EXCEPTING THEREFROM the following described tract of land lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and in Lot 7 of Section 10, Township 9 South, Range 15 E., B.M., bounded and described as follows:

BEGINNING at the South quarter corner of said Section 10;

THENCE running West, along the South boundary of said Section for a distance of 1277.7 feet to a point 66.0 feet East of the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 0°14' West along a line parallel to the West boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 820.0 feet;

THENCE North 89°57' East for 1162.1 feet;

THENCE South 57°44' East for 504.0 feet;

THENCE North 81°45' East for 241.6 feet;

THENCE North 27°59' East for 65.3 feet;

THENCE North 57°08' East for 72.4 feet;

THENCE North 25°56' East for 181.5 feet;

THENCE North 2°15' East for 81.0 feet;

THENCE North 28°28' East for 191.7 feet;

THENCE North 14°51' East for 914.3 feet to the North boundary of the South twenty acres of said Lot 7;

THENCE East along said boundary for 288.9 feet to the East boundary of said Lot 7

THENCE South 0°15' East along said boundary for 1980.0 feet to the South boundary of said Section 10;

THENCE West along said boundary for 1343.7 feet to the POINT OF TERMINUS

AND ALSO EXCEPT

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 10: A part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, more particularly described as follows:

BEGINNING at the South quarter corner of said Section 10;

THENCE West 1277.7 feet to a point 66 feet East of the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 00°14' West, along a line parallel to the West boundary, a distance of 820 feet to the TRUE POINT OF BEGINNING;

THENCE North 89°57' East, for 1162.1 feet;

THENCE Northeasterly to the Northeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE West to a point 66 feet East of the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE South 00°14' East, along a line parallel to the West boundary of said SE¼SW¼ to the TRUE POINT OF BEGINNING.

AND INCLUDING: An easement for the purpose of ingress, egress and egress over a strip of land located in the SE¼SW¼ of Section 10, Township 5 North, Range 12 E B.M., more particularly described as follows:

BEGINNING at the Southeast corner of said SE¼SW¼, Section 10;

THENCE West a distance of 618.6 feet along the southerly boundary of said SE¼SW¼ to the TRUE POINT OF BEGINNING;

THENCE West a distance of 25.00 feet along the westerly boundary of said SE¼SW¼;

THENCE North a distance of 845.00 feet;

THENCE North 89°57' East a distance of approximately 528 feet to the westerly boundary of the above described tract;

THENCE Southwesterly approximately 25.00 feet along said westerly boundary to a point which bears North 0°14' West a distance of 820.00 feet; and

North 89°57' East a distance of 1228.1 feet from the Southwest corner of said SE¼SW¼;

THENCE South 89°57' West a distance of 503 feet;

THENCE South 0°14' East a distance of 820.00 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 8, 1993

Lyle King
LYLE KING

Irene A. King
IRENE A. KING

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 8th day of NOVEMBER, 1993, before me, a Notary Public in and for said State, personally appeared LYLE KING AND IRENE A. KING, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Marta L. L. Mayas
Notary Public for Idaho
Residing in: BUHL, IDAHO
Commission Expires: 9-8-99

06/29/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-4172

NAME AND ADDRESS: LELAND CHAD MONTGOMERY
1850 E 4500 N
BUHL ID 83316

GRETCHEN A MONTGOMERY
1850 E 4500 N
BUHL ID 83316

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
10.80 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

POINT OF
DIVERSION:

T09S R15E S10 SWSE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.080 CFS 10.80 AFY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in TWIN FALLS County

T09S R15E S10 Lot 7 NWSE 1.20 T09S R15E S10 SWSE 1.50

STOCKWATER in TWIN FALLS County

T09S R15E S10 Lot 7 NWSE T09S R15E S10 SWSE

2.7 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES



47-4172
Montgomery



D. Jones
9/2010

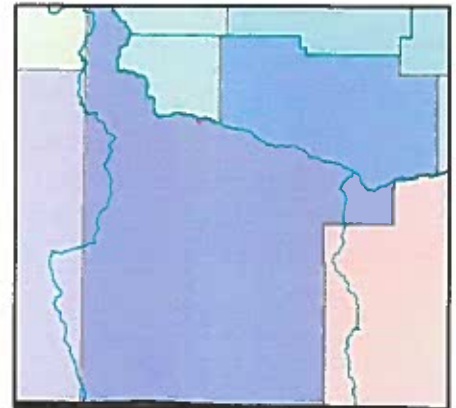


Idaho Department of Water Resources

Adjudication Recommendation 47-4172 (IRRIGATION)

Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Twin Falls County
IDWR Basin 47



Prepared by Doug Jones
On June 29, 2010
2004 Aerial Photography

0 0.03 0.06 0.12 Miles

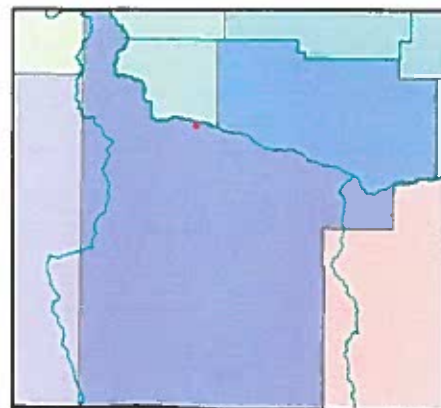


Idaho Department of Water Resources

Adjudication Recommendation 47-4172 (STOCKWATER)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Twin Falls County
IDWR Basin 47

R15E



Prepared by Doug Jones
On June 29, 2010
2004 Aerial Photography

0 0.05 0.1 0.2
Miles

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
)
WATER RIGHT NO. 47-04172)
_____)

AFFIDAVIT

COMES NOW Robert Johnson, of Twin Falls County, Idaho, and being duly sworn and on oath, deposes and says:

That I have personal knowledge that the spring water being used at 1850 E. 4500 N., Buhl, Idaho now owned by Chad and Gretchen Montgomery has been in use long before 1950.

That I have personal knowledge of this because in 1938 as a boy my family purchased the farm across the road at 1815 E. 4500 N. In 1938 the Sherwood family (who owned the property at that time where the spring water in question is located) employed my family and I to work on their farm.

I personally witnessed the spring water being used to irrigate hay, pasture, fruit trees, and also used as stock water. The spring water had obviously been used for this purpose for many years prior to 1938 given the maturity of the fruit trees and the farm ground.

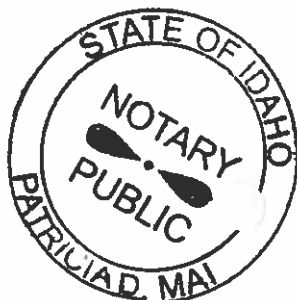
Since 1938, I have continued to live on my family farm where I have witnessed the continued use of the spring water for irrigation and stock water.
Further your affiant sayeth naught.

DATED this 30th day of August, 2007.

Robert E. Johnson

Robert Johnson
1815 E. 4500 N
Buhl, Idaho 83316

SUBSCRIBED AND SWORN to before me this 30 day of August, 2007.



Patricia D. Mai
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
Commission Expires: 03.28.2008

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
)
WATER RIGHT NO. 47-04172)
_____)

AFFIDAVIT

COMES NOW Robert Johnson, of Twin Falls County, Idaho, and being duly sworn and on oath, deposes and says:

That I have personal knowledge that the spring water being used at 1850 E. 4500 N., Buhl, Idaho now owned by Chad and Gretchen Montgomery has been in use long before 1950.

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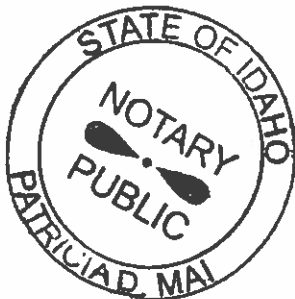
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Further your affiant sayeth naught.

DATED this 30th day of August, 2007.

Robert E. Johnson

Robert Johnson
1815 E. 4500 N
Buhl, Idaho 83316

SUBSCRIBED AND SWORN to before me this 30 day of August, 2007.



Patricia D. Mai
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
Commission Expires: 03-28-2008

03/27/2006

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

RIGHT NUMBER: 47-4172
NAME AND ADDRESS: LYLE E KING
1840 E 4500 N
BUHL ID 83316

IRENE KING
1840 E 4500 N
BUHL ID 83316

DISALLOWED

SOURCE: SPRING TRIBUTARY: SNAKE RIVER
QUANTITY: 0.150 CFS
PRIORITY DATE: 04/01/1950
POINT OF DIVERSION:

T09S R15E S10 NWSE Lot 7 Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.100 CFS
STOCKWATER	1/01 12/31	0.050 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County
T09S R15E S10 Lot 7 NWSE 5.00
STOCKWATER Within TWIN FALLS County
T09S R15E S10

5 ACRES TOTAL

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

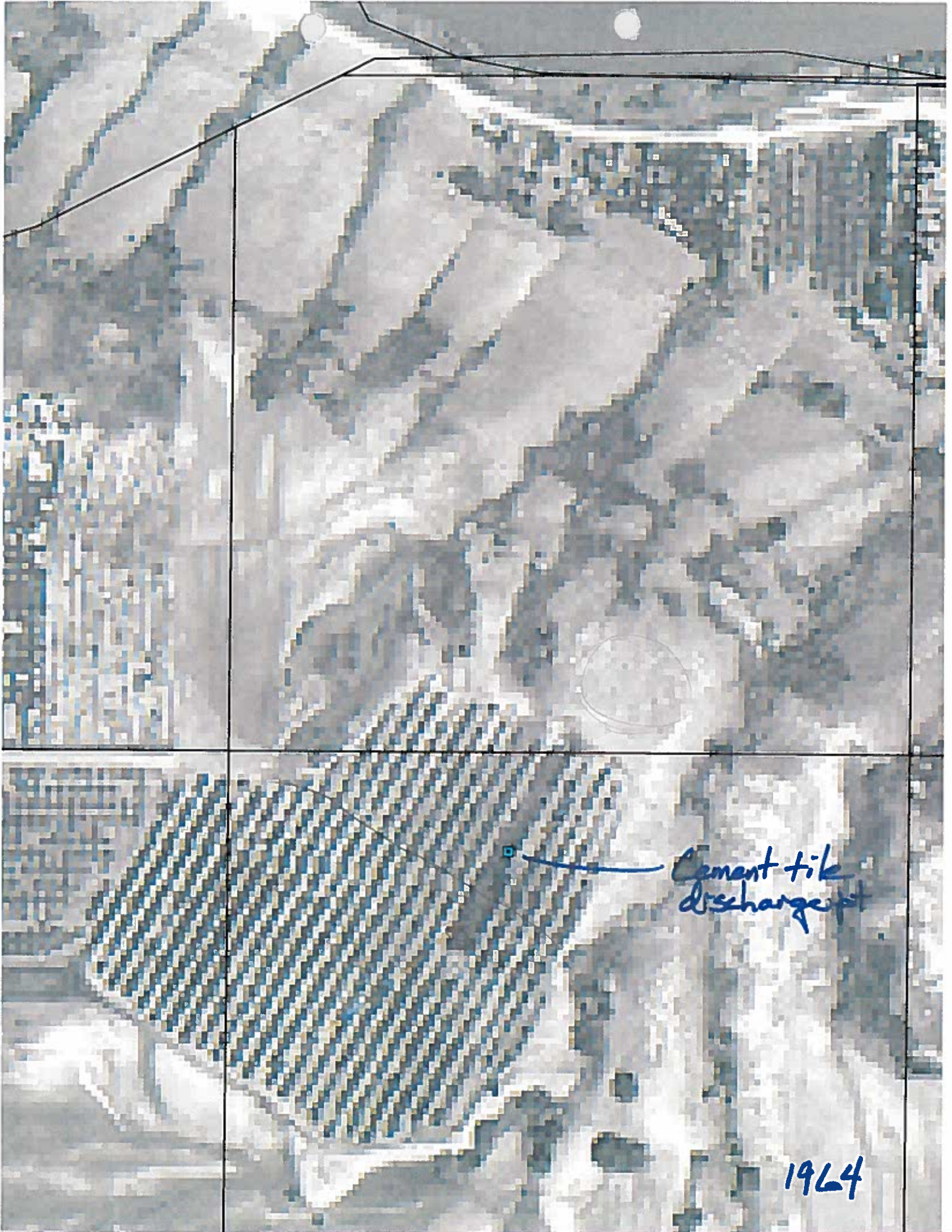
No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included

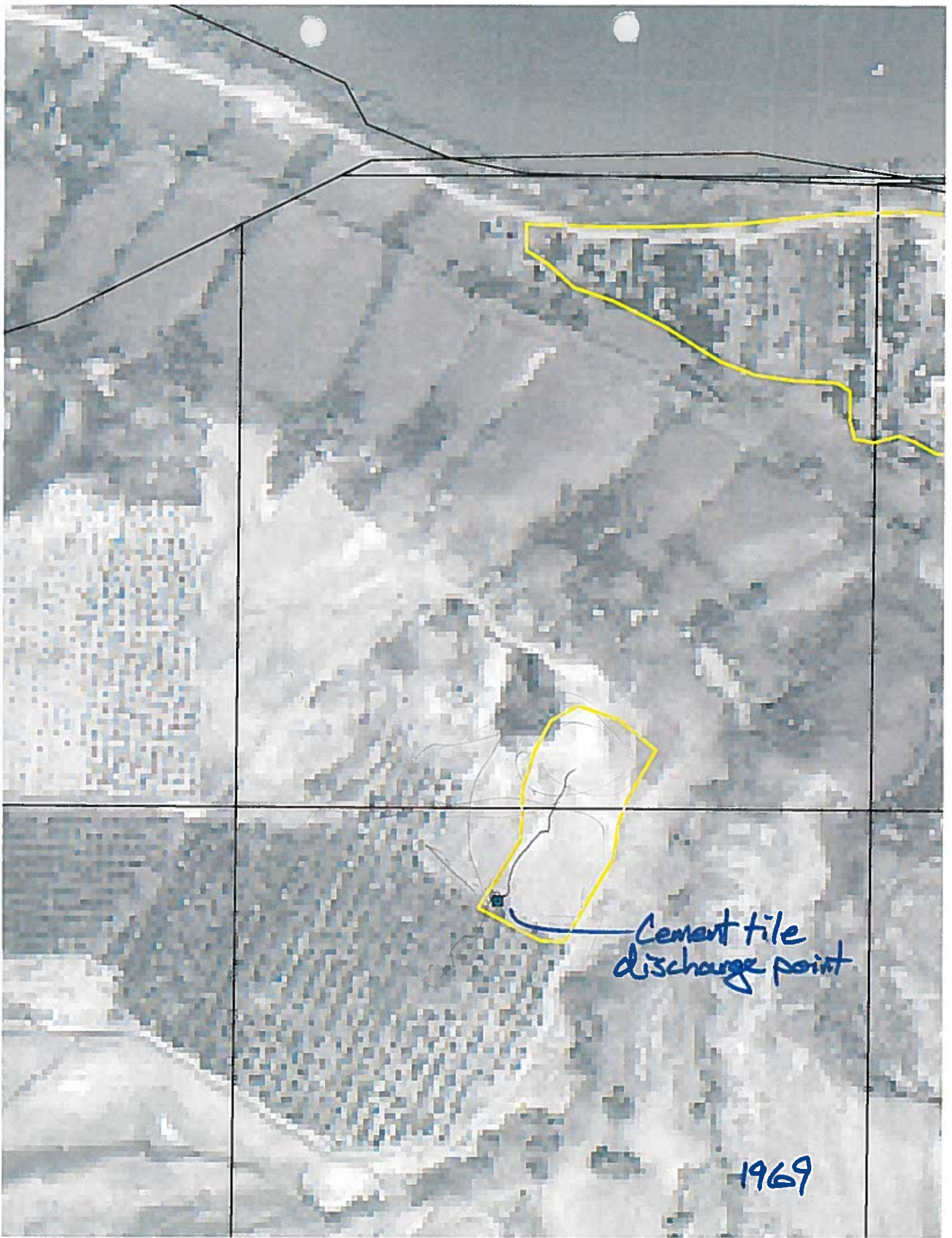
where

a right was determined not to exist in a prior adjudication.



Cement tile
discharge pt

1964



Cement tile
discharge point

1969

IDWR EXPLANATION

Folder No. 68
Name: Lyle King
Claim No A47-04172
Photo ID # 06
Tag No. No tag
GPS ID# 0417268-06

Remarks:

New owner: Chad Montgomery
1850 E. 4500 N.
Buhl, ID 83316

Phone: 208-543-9055

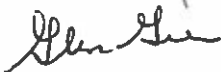
Cell: 208-280-3823

Left change of ownership form and said would take care of along with evidence of priority.

GPS site 0417268-06 is where the spring comes to the surface; there is a standpipe approx. 200 feet up and to the south that connects to the pipe that the water exits. The water runs a short distance into the pond on the map; the water is only being used for stock water at this time, approx. 50 head of stock cows and calves.

The water isn't being used for irrigation at this time but would like to setup a pumping system to irrigate the pasture outlined on the map.

Best regards,



Glen Gier
April 13, 2005



47-4172

Photo showing discharge pipe for underground collection system.
Note that there is no flow in this 4/13/2005 photo.

Photo by G Gier 4/13/05
Review Jones 3/06

47-4172

- Ownership: Call listed Claimant finger
May be Chad Montgomery
543-9055
- Locate spring - + GPS
0417268-06 2444115 1272907
- Identify area irrigated, confirm + document
distribution system
- Evidence of priority

N
↑



Pasture



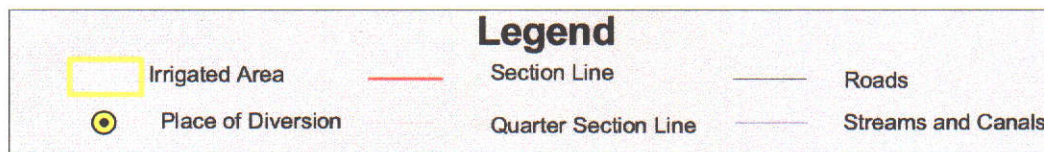
Pond

GPS site
0417268-06

↑
stand pipe

Water Right Claim Number 47-04172
Township , 9S15E

01/15/2001



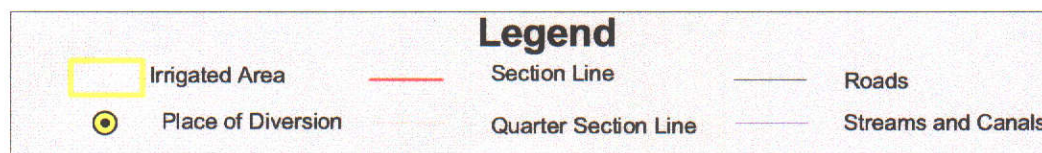
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04172
Township , 9S15E

01/15/2001



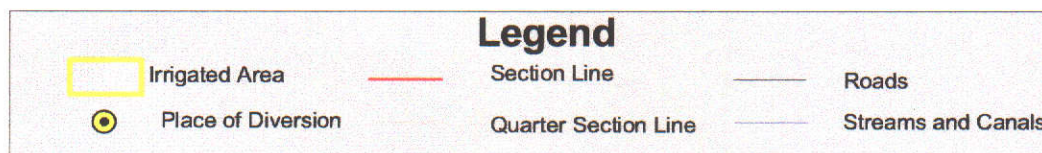
400 0 400 800 Feet



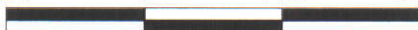
 SPATIAL
DYNAMICS

Water Right Claim Number 47-04172
Township , 9S15E

01/15/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

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: A47-04172
Date Received: 1/09/1989
Receipt No: S005781
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYLE KING 208-543-4804
Address: RT. 4 BOX 160
BUHL, ID 83316

AND/OR

Name: IRENE KING 208-543-4804
Address: RT. 4 BOX 160
BUHL, ID 83316

2. Date of Priority: APR 01, 1950

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	15E	10	NW	SE		7	TWIN FALLS

5. Description of diverting works:
DITCH, 2 STOCK PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/120 DAIRY STOCK

A47-04172

Page 1

Date: 01/09/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	15E	10	NW SE	7	STOCK IRR	5.0
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:
2 MAN MADE STOCK PONDS USED FOR CATTLE.

15. Basis of Claim: STATUTORY CLAIM

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):

[Handwritten Signature]

Date:

1/9/89

Date:

State of Idaho

)

County of

SE

)

SS.

Subscribed and sworn (or affirmed) before me this 9th day

of

Jan

19

89

Lois White
Notary Public

Seal

Residing at

SE

My Commission Expires

5/94



GOVERNOR

Governor PHILIP E. BATT

R. KEITH HIGGINSON

Director

January 10, 1995

A47-04172

LYLE KING

IRENE KING

RT. 4 BOX 160

BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *

* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995

page 2

notarized affidavit.

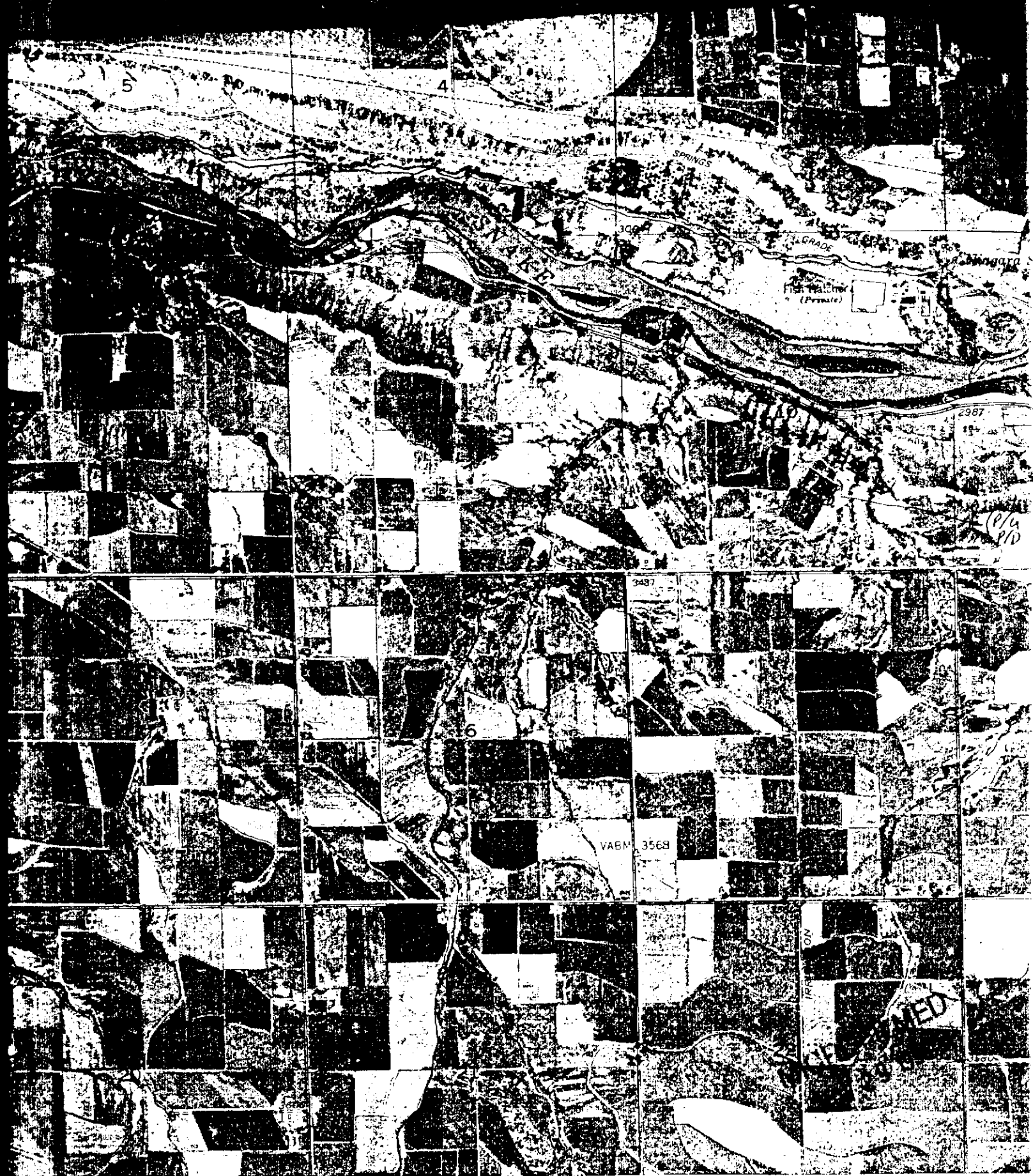
Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED
NOV 29 1996



No. 44-38861-2

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

PAGE: 1

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LYLE KING	04/01/1950	IRRIGATION	03-15 11-15	0.10 CFS	
C	IRENE KING		STOCKWATER	01-01 12-31	0.05 CFS	
	1840 E 4500 N					
	BUHL ID 83316					
	(208) 543-4804					
				TOTAL DIVERSION:	0.15 CFS	

Water Source: SPRING

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T09S R15E S10 Lot07(NWSE)

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

								NE				NW				SW				SE						
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
--	--	--	:	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	Lt Ac	Lt Ac	Lt Ac	:	----		
09S	15E	10	:					:					:					:					:	5.0		
																								07-05		5.0
																								TOTAL ACRES		5.0

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	:
09S	15E	10	:											:									:							:

POU County: TWIN FALLS

Non-Irrigation Uses: S/120 DAIRY STOCK

Other Rights: NONE

Remarks: GEN 2 MAN MADE STOCK PONDS USED FOR CATTLE.

EXP ADDRESS CHANGE BY USPS FORM; ROUTE AND BOX TO GRID.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: E

ALDO FALLAI

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE

REQUESTED

1840E 4500A

APR 12 1988

~~RECEIVED~~

IMPORTANT WATER RIGHT INFORMATION

47-10709
LYLE E KING
IRENE KING
RT 4 BOX 160
BUHL ID 83316

+ A47-04172

cc: ~~Water Meas.~~

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE

REQUESTED

4426N 4500E

APR 12 1988

~~RECEIVED~~

IMPORTANT WATER RIGHT INFORMATION

47-12890
MABEL SHOP
RT 4 BOX 152
BUHL ID 83316

+ 47-12888
47-12889
12890
12891

Log for claim 47-04172

Spatial Dynamics BTD

1/15/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s15e	10	NWSE	5	4.5	
Totals:			5	4.5	

Water Right Claim Number 47-04172
Township , 9S15E

01/15/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |



400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-04172
Township , 9S15E

01/15/2001



Legend

Irrigated Area

Section Line

Roads

○ Place of Diversion

Quarter Section Line

Streams and Canals



400 0 400 800 Feet



*SPATIAL
DYNAMICS*

Water Right Claim Number 47-04172
Township , 9S15E

01/15/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |



400 0 400 800 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-04172

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/06/00
PAGE: 70

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LYLE KING	04/01/1950	IRRIGATION	03-15 11-15	0.100 CFS	
C	IRENE KING		STOCKWATER	01-01 12-31	0.050 CFS	
	1840 E 4500 N					
	BUHL ID 83316			TOTAL DIVERSION:	0.150 CFS	
	(208) 543-4804					

Water Source: SPRING

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T09S R15E S10 Lot07(NWSE)

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
09S	15E	10	:					:					:					:					:	5.0
																							TOTAL ACRES	5.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
09S	15E	10	:					:					:					:					:	

POU County: TWIN FALLS

Non-Irrigation Uses: S/120 DAIRY STOCK

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-14273

Other Water Rights Listing Overlapping Place(s) of Use:
A47-14273

Remarks: GEN 2 MAN MADE STOCK PONDS USED FOR CATTLE.

EXP ADDRESS CHANGE BY USPS FORM; ROUTE AND BOX TO GRID.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: E
Presumption Flag:

Audit: 01/09/89 WHITE 03/30/95 POST-STD 08/20/98 SSHERMAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

CLAIM TO A WATER RIGHT

JUL 23 1980

Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the ~~Southern Idaho~~ established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Lyle King (Name of Claimant)
Route 4 Box 160 Buhl, ID 83316 (Mailing Address) Telephone No. 543-4804 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1950

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Snake River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates Inclusive) (Mo., Day)	
Quantity	<u>0.10</u>	Use <u>Irrigation</u>	Period of Use From <u>Mar 15</u>	To <u>Nov 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 0.10 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
(Lot 7) NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10 Twp. 9S Rge. 15E B.M., County of Twin Falls
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditch

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9S	15E																		5

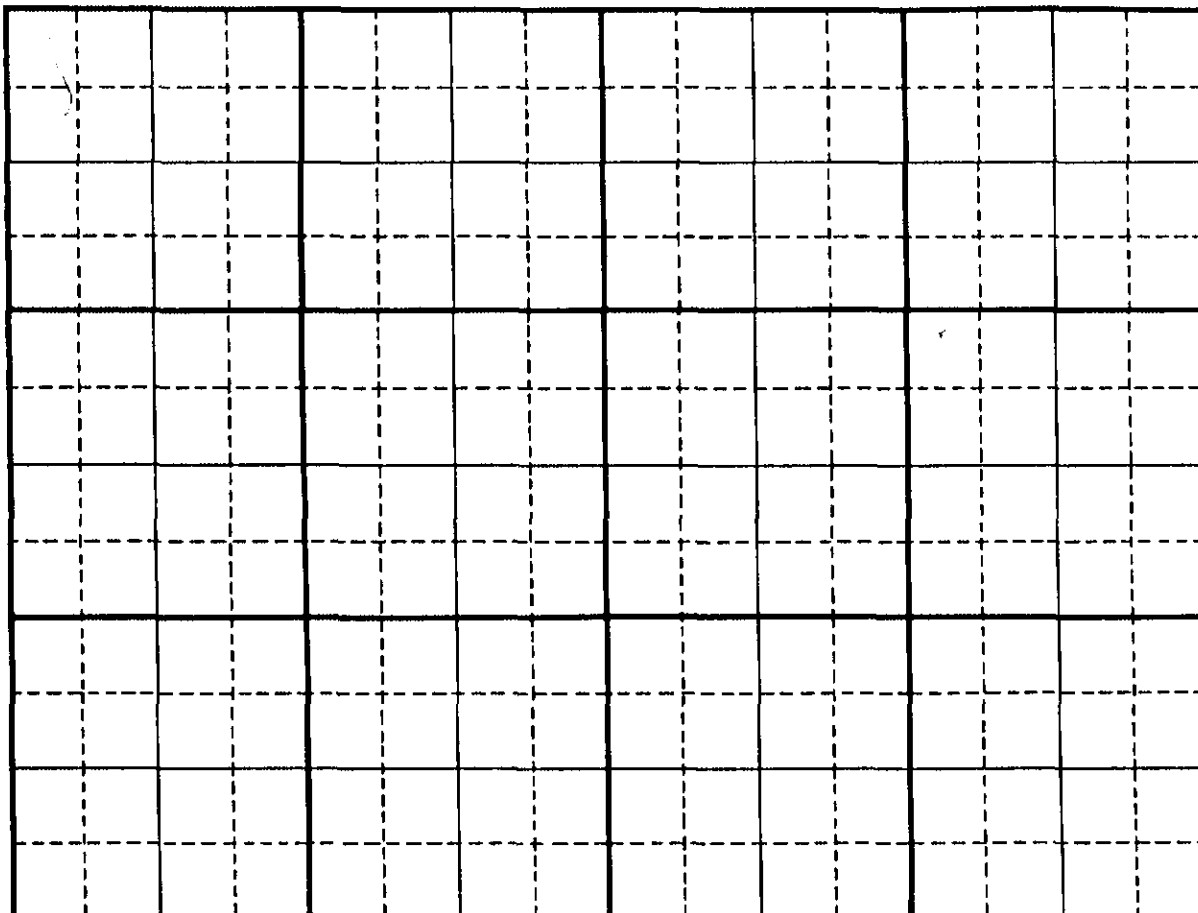
No. of acres 5

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 23rd day of July

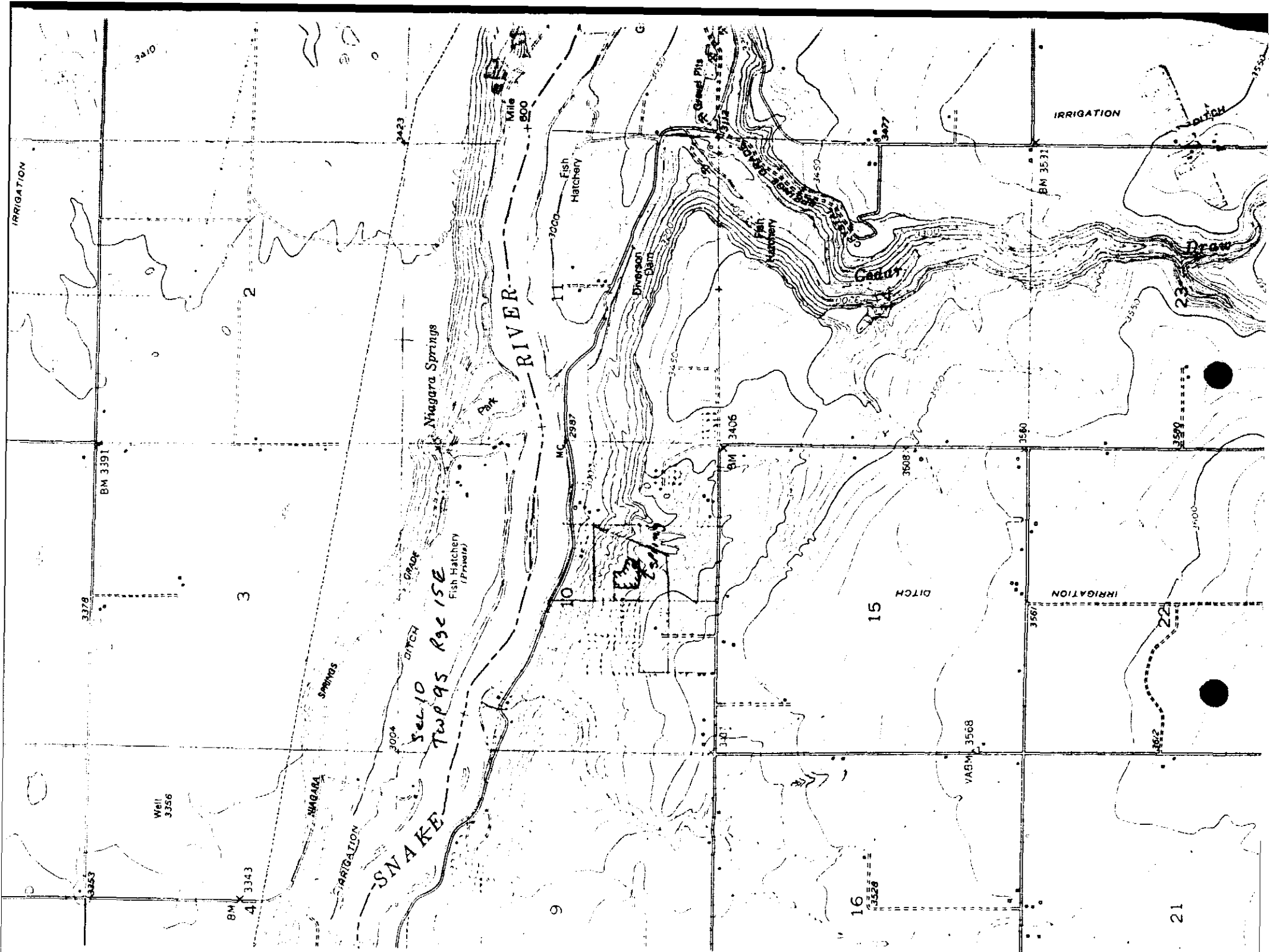
[Signature]
(Claimant)
19 80

Loren O. Halmer
Notary Public
Residing at Twin Falls

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 7-23-80 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 7-23-80
\$20.00 Fee received by [Signature] Date 7-23-80 # 16518
Published in Twin Falls News
Dates 8/9 + 8/14/80



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Claim
JUL 25 1983
Department of Water Resources
Seachuck District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

LEBERT J. SCHMIDT
(Name of Claimant)

ROUTE #4, BOX 224, BUHL, IDAHO, 83316
(Mailing Address)

Telephone No. 543-6360

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) since March 1, 1957

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed coulee tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
10 inches		Irrigation	Period of Use From 5/1	To 10/15	
5 inches		Stock watering	Period of Use From 3/1	To 11/1	
			Period of Use From	To	
			Period of Use From	To	
			Period of Use From	To	

- (4) 15 in. or 30 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Lot 4 1/4 SW 1/4 Sec. 7 Twp. 9S Rge. 15 E.B.M., County of Twin Falls

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diverted through pipe "6"

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
9S	15E	7											15						
													(This is actually called						
													lot 4)						

No. of acres 15

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

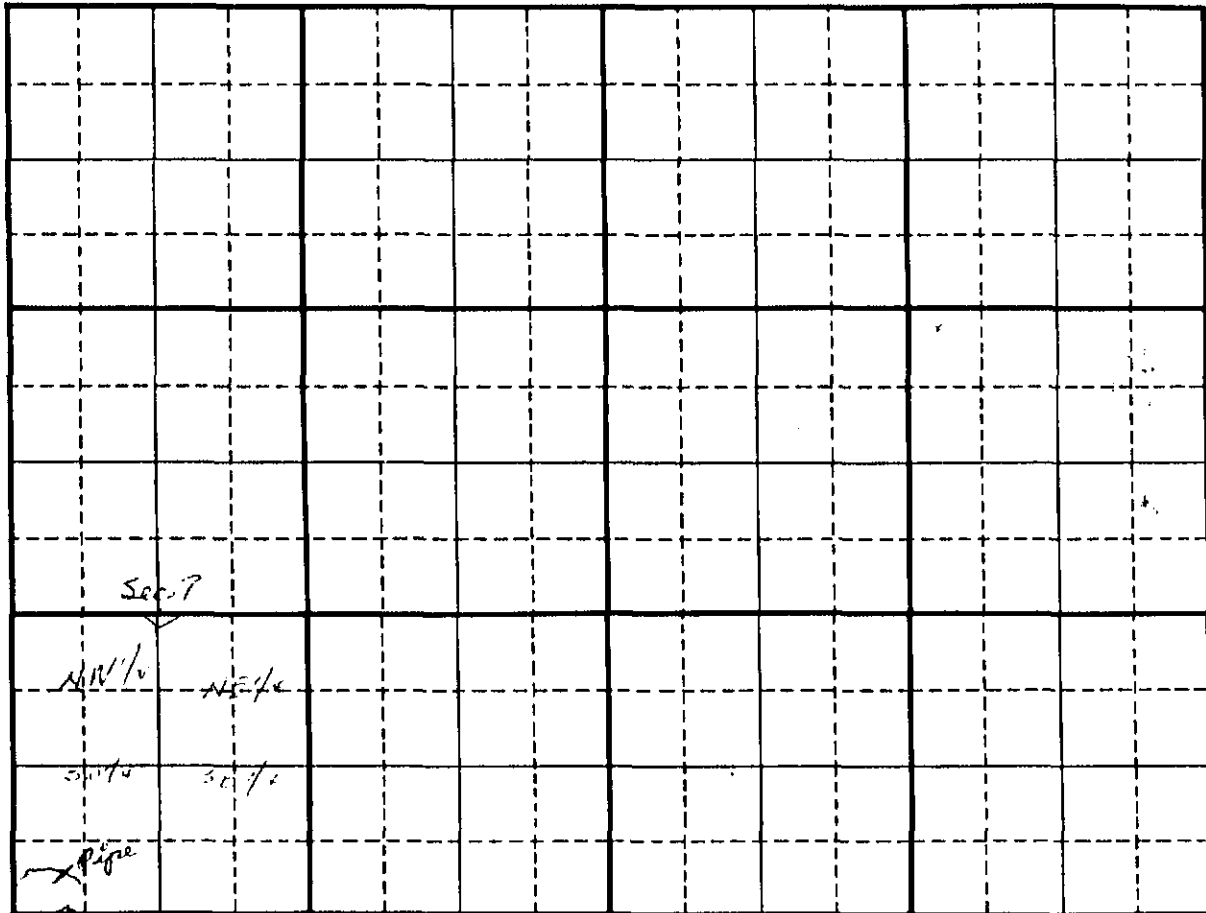
Also used for stock water during about eight months of the year

NOTE: Include here the type and number of stock watered: 25-30 head cattle watered out of coulee

- (7) If you are claiming water as a member of an organization, list name of organization:

MLC

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of TWIN FALLS) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of July, 19 80.

Lebert J. Schmidt
(Claimant)

John B. Buhl
Notary Public
Residing at Buhl

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by Marya Date 7-28-80 Exception filed by: _____ Date _____
Prelim. check by ADM Date 7-29-80
\$20.00 fee received by Marya Date 7-28-80 # 16528
Published in Times News
Dates 8/7 & 8/14/80

30.00