

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: A73-04101
Date Received: 5/01/1990
Receipt No: MO016816
Received By: KAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH MADSEN 208-876-4218
Address: HC 62, BOX 2340
MAY, ID 83253

OR
Name: JUDITH MADSEN 208-876-4218
Address: HC 62, BOX 2340
MAY, ID 83253

2. Date of Priority: JUL 27, 1900

3. Source: BIG SPRING CREEK Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	21E	26	SW	SE			LEMHI

5. Description of diverting works:
HEADGATE & CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	10/31	4.000		
STOCKWATER	01/01	12/31	0.140		

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

8. Total consumptive use is 500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK, 500 CATTLE

A73-04101

Page 1

Date: 05/01/90

MICROFILMED

DEC 14 1992

A7304101

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15N	21E	5	NW		NW		IRR	15.0
			SW		NW		IRR	32.0
			NW		SW		IRR	27.0
			SW		SW		IRR	25.0
							Section Acres	99.0
		6	NE		NE	1	IRR	15.0
			NW		NE	2	IRR	11.0
			SW		NE		IRR	8.0
			SE		NE		IRR	33.0
			NE		SE		IRR	23.0
			SE		SE		IRR	11.0
							Section Acres	101.0
							Total Acres	200.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
A74-00084

14. Remarks:
ORIGINAL STATUTORY CLAIM DESCRIBED A PLACE OF USE FOR
A POTENTIAL USE OF DLE LANDS. HOWEVER, THAT DLE HAS NOT YET
APPROVED.

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: 1

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): Judith Madsen Date: 5/1/90
Date:

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of May 19 90 Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

AJ0749NP
No. A73-04101

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

DATE: 01/19/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NORMA JEAN HAMMOND PO BOX 1207 CHALLIS ID 83226 (208) 879-2471	07/27/1900	IRRIGATION STOCKWATER	03-01 10-31 01-01 12-31	4.00 CFS 0.14 CFS	
TOTAL DIVERSION:					4.14 CFS	
CONSUMPTIVE USE:						500.00 AFA

Water Source: BIG SPRING CREEK

Tributary to: PAHSINEROI RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T15N R21E S26 SWSE

LEMHI 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		
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	Lt	Ac	Lt	Ac	SUM	
15N	21E	5	:																														99.0	
15N	21E	6	:	01-15	02-11		08	33	:																								101.0	
																																		200.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: LEMHI

Non-Irrigation Uses: STOCK, 500 CATTLE

Other Rights: A74-00084

Remarks: GEN ORIGINAL STATUTORY CLAIM DESCRIBED A PLACE OF USE FOR
A POTENTIAL USE OF DLE LANDS. HOWEVER, THAT DLE HAS NOT YET
APPROVED.
CHANGED OWNERSHIP PER REQUEST/JH-1-19-99

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

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



NOT FILMED
DEC 14 1992

CUSTER COUNTY TITLE, INC.

P.O. BOX 370
CHALLIS, ID 83226
208-879-4424
208-879-5249 FAX

ESCROW CLOSING STATEMENT

BUYER: HAMMOND
SELLER: MADSEN
BROKER: WAY OUT WEST
LENDER:

ORDER NO: 9868.1
DATE: 7-29-98
PRO-RATION DATE: 7-29-98
PROPERTY ADDRESS: MAY, IDAHO

	BUYER		SELLER	
	CREDIT	CHARGE	CREDIT	CHARGE
SALE PRICE:		350,000.00	350,000.00	
EARNEST MONEY TO:				
LOAN AMOUNT:				
TO: MADSEN	350,000.00			350,000.00
LOAN PAYOFF: FARM CREDIT SERVICES				
LOAN ASSUMED:				
PRINCIPAL:				
INTEREST:				
RESERVES:				
ASSUMPTION FEE:				
PRO-RATIONS:				
TAXES 1-1-98 TO 7-29-98	415.98			415.98
INSURANCE				
IRRIGATION				
WELL & SEPTIC INSPECTION				
COUNTY TAXES:				
EXPRESS MAIL				
APPRAISAL FEE:				
DELINQUENCIES:				
SURVEY-WADE SURVEYING				3,047.50
DOC PREP FEE:				
TITLE INSURANCE: LEMHI TITLE				1,267.50
ESCROW FILING FEE: C.C. TITLE ESCROW		375.00		375.00
ESCROW CLOSING FEE: C.C. TITLE		547.50		547.50
RECORDING FEES/UCC FILINGS		31.00		31.00
ATTORNEY'S FEES: SHERM FUREY		360.00		360.00
BROKER'S COMMISSION: WAY OUT WEST				21,000.00
CASH TO/FROM:	897.52			(27,044.48)
TOTALS:	351,313.50	351,313.50	350,000.00	350,000.00

WE HEREBY ACKNOWLEDGE THE RECEIPT OF THE ABOVE STATEMENT:

Norma Jean Hammond
NORMA JEAN HAMMOND BUYER

Kenneth Madsen
KENNETH MADSEN aka KENNY MADSEN SELLER

By: Kim J. Hammond P.C.A.
H. M. Jacobs BUYER

Judith Madsen
JUDITH MADSEN aka JUDY MADSEN SELLER

CUSTER COUNTY TITLE, INC.

BY:

Patsy Kink

CUSTER COUNTY TITLE, INC.
P.O. BOX 370
CHALLIS, ID 83226
208-879-4424
208-879-5249 FAX

ESCROW CLOSING STATEMENT

BUYER: HAMMOND
SELLER: MADSEN
BROKER: WAY OUT WEST
LENDER:

ORDER NO: 9868
DATE: 7-29-98
PRO-RATION DATE: 7-29-98
PROPERTY ADDRESS: MAY, IDAHO

	BUYER		SELLER	
	CREDIT	CHARGE	CREDIT	CHARGE
SALE PRICE:		150,000.00	150,000.00	
EARNEST MONEY TO: CUSTER COUNTY TITLE, INC.	5,000.00			
LOAN AMOUNT: TO:				
LOAN PAYOFF: FARM CREDIT SERVICES				40,824.70
LOAN ASSUMED:				
PRINCIPAL:				
INTEREST:				
RESERVES:				
ASSUMPTION FEE:				
PRO-RATIONS:				
TAXES 1-1-98 TO 7-29-98	437.99			437.99
INSURANCE				
IRRIGATION				
WELL & SEPTIC INSPECTION				
COUNTY TAXES:				
LEMHI COUNTY				100.00
DISTRICT 7 HEALTH (LOT SPLIT)				120.00
APPRAISAL FEE:				
DELINQUENCIES:				
SURVEY-WADE SURVEYING				550.00
DOC PREP FEE:				
TITLE INSURANCE: LEMHI TITLE				750.00
ESCROW FILING FEE:				
ESCROW CLOSING FEE: C.C. TITLE		247.50		247.50
RECORDING FEES: LEMHI RECORDER		4.50		4.50
ATTORNEY'S FEES: SHERM FUREY				600.00
BROKER'S COMMISSION: WAY OUT WEST				9,000.00
CASH TO/FROM:	144,814.01			97,365.31
TOTALS:	150,252.00	150,252.00	150,000.00	150,000.00

WE HEREBY ACKNOWLEDGE THE RECEIPT OF THE ABOVE STATEMENT:

Norma Jean Hammond
 NORMA JEAN HAMMOND BUYER

Kenneth Madsen
 KENNETH MADSEN aka KENNY MADSEN SELLER

By: Kim A. Hammond P.O.A.
 KIM A. HAMMOND BUYER

Judy Madsen
 JUDITH MADSEN aka JUDY MADSEN SELLER

CUSTER COUNTY TITLE, INC.

BY: *Patsy Kindt*



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMA JEAN HAMMOND
PO BOX 1207
CHALLIS ID 83226

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A73-00084,
A73-02163, A73-04101

Dear Ms. Hammond:

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

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

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

DE LOG SVR 10-27-9
RECEIVED
OCT 27 1998
 Department of Water Resources
 Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) blank A73-10081 / A record A73-04101 / A record A73-00084 / A record A73-02163
 Adjudication Claim Number(s) _____

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Kenneth & Judith Madsen
HC 62 Box 2340 May, ID 83253

4. New Owner/Claimant(s) Arma Jean Hammond
Name connector (Check one): [] AND, [] OR, [] AND/OR
 New Mailing Address P.O. Box 1207
 City, State and ZIP Code Challis, ID 83226
 New Telephone Number (208) 879-2471

5. Date you acquired the property 7-29-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Kim Hammond Agency Exec Date 10/26/98
 _____ Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

EXHIBIT "A"

Lot 2 and the S½NE¼ and the NE¼SE¼ of Section 6, Township 15 N., Range 21 E., Boise Meridian.

ALSO:

The W½SW¼ of Section 5, Township 15 N., Range 21 E., Boise Meridian.

ALSO:

That part of the SE¼SE¼ of Section 6, Township 15 N., Range 21 E., Boise Meridian, described as follows:

Beginning at the stone marking the Southeast corner of said Section 6; thence North 1320 feet, more or less, to the Northeast corner of the SE¼SE¼ of said Section 6; thence West along the North line of said SE¼SE¼, 985 feet to the Easterly bank of a ditch; thence Southerly along the Easterly bank of said ditch to the intersection of the South line of said SE¼SE¼ of said Section 6; thence East along said South line of said SE¼SE¼, said Section 6, 435 feet, more or less, to the PLACE OF BEGINNING.

ALSO:

The S½NW¼ and Lot 4 of Section 5, and Lot 1 of Section 6, Township 15 N., Range 21 E., Boise Meridian.

EXCEPTING THEREFROM:

That part of Lot 2, and part of the SW¼NE¼ of Section 6, Township 15 N., Range 21 E., Boise Meridian, described as follows:

Beginning at the point of intersection of the center of the present County Road and the South line of said SW¼NE¼ of said Section 6, at a point 136 feet West of the Southeast corner thereof, thence along said County Road as follows:

North 28° W., 730 feet;

Thence N. 32° W., 443 feet;

Thence N. 26° W., 345 feet;

Thence N. 38° W., 520 feet;

North 64° W., 195 feet to a point on the West line of said Lot 2;

Thence South along the West line of said Lot 2, and the West line of the said SW¼NE¼, 1750 feet, more or less, to the Southwest corner of said SW¼NE¼;

Thence East along the South line of said SW¼NE¼, 1184 feet, more or less, to the PLACE OF BEGINNING.

ALSO EXCEPTING THEREFROM:

That part of the NE¼SE¼ of Section 6, Township 15 N., Range 21 E., Boise Meridian, described as follows:

Beginning at the Southwest corner of said NE¼SE¼ of said Section 6; thence East along the South line of said NE¼SE¼, 533 feet to the center of the present County Road;

Thence along said County Road N. 28° W., 480 feet;

N. 3° W., 115 feet;

N. 23° W., 433 feet;

N. 32° W., 210 feet to a point on the West line of said NE¼SE¼ of said Section 6;

Thence South along the West line of said NE¼SE¼, 1120 feet, more or less, to the PLACE OF BEGINNING.

ALSO EXCEPTING:

That certain right-of-way for road purposes deeded to the State of Idaho by that certain Deed dated December 10, 1946, recorded December 27, 1946, in Book 40 of Deeds, page 13, records of Lemhi County, Idaho, to which reference is hereby made and the same is incorporated herein as if herein set forth in full. . .

ALSO EXCEPTING THEREFROM:

A parcel located in the W 1/2 NE 1/4, Section 6, T. 15 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the N 1/4 corner of said Section 6, from which the NE corner of said Section 6 bears East 2643.84 ft., the Basis of Bearing of this description, run thence East along the northerly boundary of said Section 6 a distance of 1628.81 ft.;

Thence S 13°24'51" E a distance of 461.02 ft.;

Thence S 18°49'11" E a distance of 156.12 ft.;

Thence S 17°29'18" E a distance of 671.05 ft. to a point on an existing fence line;

Thence the following courses and distances along said fence:

S 60°13'41" W 646.32 ft.;

S 24°01'03" W 59.25 ft.;

S 74°43'24" W 651.89 ft. to a point on westerly right-of-way of the Pahsimero Road;

Thence the following courses and distances along said right-of-way:

N 30°15'52" W 609.84 ft.;

202.16 ft. along a curve to the

left having a central angle of 7°51'58", radius of 1472.50 ft., chord bearing of N 34°11'50" W for a distance of 202.00 ft.;

N 51°52'11" E 10.00 ft.;

N 38°00'47" W 263.06 ft.;

288.99 ft. along a curve to the left having a central angle of 21°10'07", radius of 1482.50 ft., chord bearing of N 43°42'01" W for a distance of 288.53 ft. to a point on the westerly boundary of the said W 1/2 NE 1/4;

Thence N 00°04'26" E 666.91 ft. along said boundary to the POINT OF BEGINNING.