

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: A74-00022
Date Received: / /
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RAY KAGEL 208-523-0641
Address: 310 LINDEN DR
IDAHO FALLS ID 83401
AND/OR
Name: NANCY KAGEL 208-523-0641
Address: 310 LINDEN DR
IDAHO FALLS ID 83401
AND/OR
Name: CHARLES E LIEBRECHT 208-523-0641
Address: 310 LINDEN DR
IDAHO FALLS ID 83401

2. Date of Priority: APR 1, 1914

3. Source: HAWLEY CREEK Trib. to: EIGHTEENMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	28E	31	NW	NW			LEMHI
			NE	SE		2	LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	27E	36	SW		NE		IRR	4.0
			SW		NE	2	IRR	2.0
			SE		NE		IRR	13.0
			Section Acres					19.0
	28E	31	SW		NE	4	IRR	2.0
			NE		NW		IRR	2.0
			NW		NW		IRR	1.0
			SW		NW		IRR	5.0
			SE		NW		IRR	12.0
			Section Acres					22.0
			Total Acres					41.0

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:

14. Remarks:

AC. IRR.=40.4.

P/U WITHIN H.E.S. 543.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs Decree Defendant

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: 74-00022

DATE RECEIVED:

RECEIPT NO: *80 - DE Name Change*

RECEIVED BY: *X999999*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 21 1990

1. NAME: SKELTON RANCH CO. INC.
ADDRESS: P.O. BOX 1138
IDAHO FALLS, ID

83401

Department of Water Resources
Eastern District Office

2. DATE OF PRIORITY: APR 01, 1914

3. SOURCE: HAWLEY CREEK

TRIB. TO: EIGHTEENMILE CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
16N	28E	31	NW	NW	NW	2	LEMHI
			NE	SE			LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

7. TOTAL QUANTITY APPROPRIATED IS:
2.000 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
16N	27E	36	SW	NE		IRR	4.0
			SW	NE	2	IRR	2.0
			SE	NE		IRR	13.0

SECTION ACRES 19.0

74-00022

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DATE: 02/08/90

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10. PLACE OF USE: CONTINUED

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
16N	28E	31	SW	NE	4	IRR	2.0
			NE	NW		IRR	2.0
			NW	NW		IRR	1.0
			SW	NW		IRR	5.0
			SE	NW		IRR	12.0
						SECTION ACRES	22.0
						TOTAL ACRES	41.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

AC. IRR.=40.4.

P/U WITHIN H.E.S. 543.

15. BASIS OF CLAIM: DECREED

CASE NUMBER:

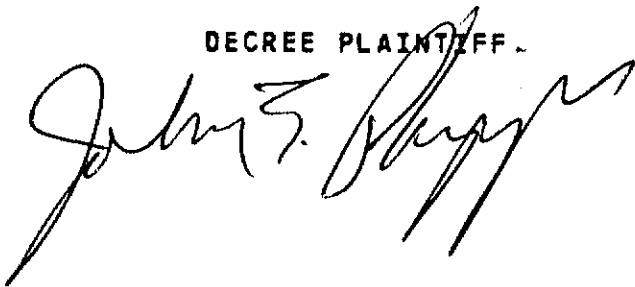
COURT :

DECREE DATE:

DECREE PLAINTIFF.

VS

DECREE DEFENDANT



16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO ____ DO NOT ____ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): *John F. King* DATE: May 21/90

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF ~~IDAHO~~ Florida)
COUNTY OF Leon) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 21st DAY
OF May 19 90

Annette C. Kirkland
NOTARY PUBLIC

SEAL

RESIDING AT Tallahassee

Notary Public, State of Florida

MY COMMISSION EXPIRES My Commission Expires Dec. 8, 1992
DATE: 02/08/90 Issued Thru Troy Fain - Insurance Inc. 48

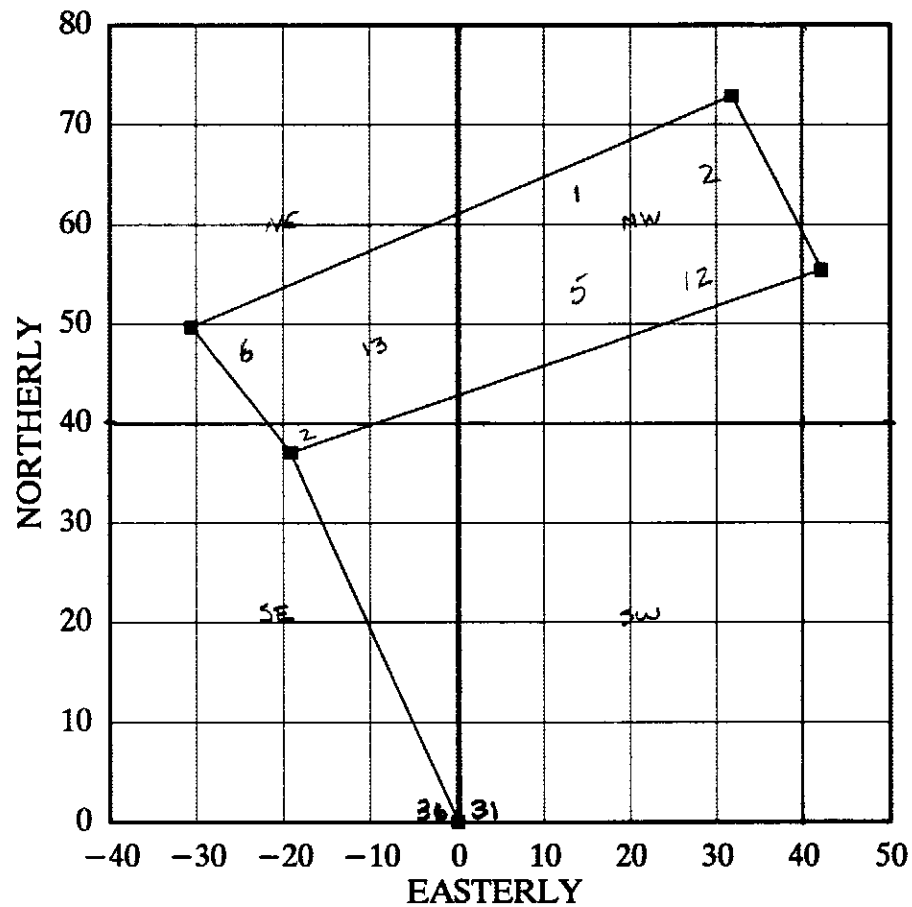
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POOR ORIGINAL

METES & BOUNDS POLAR LOCATION PLOT
DISTANCES ARE IN CHAINS



SEPTEMBER 14, 1993

RAY KAGEL
310 LINDEN DR
IDAHO FALLS ID 83401

RE: CHANGE IN OWNERSHIP FOR A74-00022

Dear Mr. Kagel:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

File: P

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 9/2/93

LEGAL DESCRIPTION OF PROPERTY: Township 16N/16N Range 27E/28E
Section 36/36, 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A74-00022 OK D.T.

☒ Name and Address of Former Owner/Claimant(s)(Seller): JOHN PHILPPS

P.O. BOX 3048

TALLAHASSEE, FL 32315

☒ New Owner/Claimant (Purchaser): NANCY & RAY KAGEL

☒ New Mailing Address: 310 LINDEN DR.
IDaho FALLS, ID 83401

☒ New Telephone Number: (208) 523-6641

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: FAX OF WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): Nancy J. Kagel Date 9/13/93
Ray L. Kagel Date 9/13/93

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date _____ By: _____
Further Action Needed
Further Action Taken
Date _____ By: _____
Final Review and Data-Entry
Date _____ By: _____
Claim Numbers of Split, if any:

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

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FACSIMILE TRANSMISSION COVER SHEET

DATE _____

DATE 9/1/93

REF. # _____

TO: KAGEL ENVIRONMENTAL
(COMPANY NAME)

POOR ORIGINAL

FAX # 523-6174RAY L. AND NANCY J. KAGEL
(ATTENTION)FROM: LEMHI TITLE & ABSTRACT CO.
(COMPANY NAME)ERIN ROBIE

(NAME)

Number of pages (includes this sheet) 6

Please call immediately if this transmission is not received complete or
anything is not clearly legible.

756-2977

TELEPHONE #

EXTENSION

756-6286

(Fax #)

MESSAGE:

DEAR RAY & NANCY: ATTACHED PLEASE FIND SETTLEMENT STATEMENT, AND WARRANTY
DEED FOR YOUR APPROVAL, PRIOR TO RECORDING TOMORROW. MR. PETERSON DELIVERED
THE WARRANTY DEED TO MR. HORTONS OFFICE THIS MORNING AND THEY ARE OVERNITE
MAILING SO I WILL HAVE IT TOMORROW. THE ACTUAL CLOSING WILL TAKE PLACE TOMORROW.
IF YOU HAVE ANY QUESTIONS DON'T HESITATE TO GIVE A CALL. PLEASE SIGN THE SETTLEMENT
STATEMENT ON THE FRONT WHERE I HAVE INDICATED WITH THE "X" AND ON THE BACK WHERE I
HAVE INDICATED WITH THE "A" AND FAX IT BACK TO ME, SO I HAVE IT FOR THE CLOSING
TOMORROW. THANKS.

SINCERELY,

SIGNATURE

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APR 18 1994

WARRANTY DEED

POOR ORIGINAL

Warranty Deed made this 31st day of August, 1993, between John E. Phipps, a married man, dealing with his sole and separate property, and Nancy P. Phipps, his wife, of the County of Lemhi, State of Idaho, herein referred to as "Grantors," an undivided one-third (1/3) interest to Ray L. Kagel, Jr., an undivided one-third (1/3) interest to Nancy J. Kagel, and an undivided one-third (1/3) interest to Charles Edward Liebrecht, whose common mailing address is 310 Linden Drive, Idaho Falls, Idaho 83401, herein referred to as "Grantees."

WITNESSETH:

That Grantors, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and does, by these presents, grant, bargain, sell, convey, and confirm unto Grantees and to their heirs and assigns forever, all the following described real estate located in the County of Lemhi, State of Idaho:

LEMHI COUNTY, IDAHO

H. E. SURVEY NO. 543, IN SECTION THIRTY-SIX (36), TOWNSHIP SIXTEEN NORTH, RANGE TWENTY-SEVEN EAST, AND SECTION THIRTY-ONE (31), TOWNSHIP SIXTEEN NORTH, RANGE TWENTY-EIGHT EAST OF THE BOISE MERIDIAN, COUNTY OF LEMHI, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

Beginning at Corner No. 1, from which the south corner to Township Sixteen North, Range Twenty-seven and Twenty-eight East of the Boise Meridian, bears S. 21°17' E., 41.74 Chains distant; thence N. 42°20' W., 17.0 Chains to Corner No. 2; thence, N. 69°37' E., 66.54 Chains to Corner No. 3; thence S. 30°56' E., 20.31 Chains to Corner No. 4; thence S. 73°21' W., 64.01 Chains to Corner No. 1; the place of beginning

SUBJECT TO all conditions, restrictions, reservations, easements, rights, rights-of-way, road rights-of-way, zoning ordinances and governmental regulations of record but together with all tenements, ditch and water rights, hereditaments, and appurtenances thereunto belonging and appertaining, including but not limited to the following:

Said above described real property is further subject to the following liens and/or encumbrances, namely:

Five-twelfths (5/12's) of all taxes and assessments assessed against the above described real property for the year 1993, and all taxes

and assessments assessed against said real property for the year 1994 and thereafter.

POOR ORIGINAL

Access by way of Forest Service road no. 177 and subject to the terms and conditions of the access across said lands.

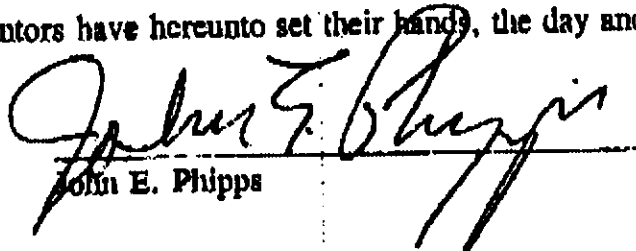
The usual printed exceptions appearing in a standard title insurance policy issued by First American Title Insurance Company.

BUT OTHERWISE TOGETHER with all and singular the tenements, hereditaments, and appurtenances therunto belonging or in anywise appertaining, specifically including the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity.

TO HAVE AND TO HOLD, all and singular the above-described premises together with the appurtenances unto Grantees and to their heirs and assigns forever.

And Grantors and their heirs shall and will warrant and by these presents forever defend the premises in the quiet and peaceable possession of Grantees, their heirs, and assigns against Grantors and their heirs and against all and every person and persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, Grantors have hereunto set their hands, the day and year first above written.


John E. Phipps


Nancy P. Phipps

"Grantors"

STATE OF WISCONSIN)
) ss.
County of Wausau)

On this 31 day of August, 1993, before me the undersigned, a Notary Public in and for the State of Wisconsin, personally appeared JOHN E. PHIPPS, a married man, dealing with his sole and separate property, and NANCY P. PHIPPS, his wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

WARRANTY DEED - 2

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APR 18 1994

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: 3956
Ident. No. 74-00022

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

Please type or print clearly:

Name of claimant(s) JOHN E. PHIPPS

Mailing Address
(including zip code) P.O. Box 3048

Tallahassee, FL 32303

Phone Number (904) 893- 1226

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