

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: A74-00032
Date Received: 4/30/1990
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: GUARDIAN LIMITED PARTNERSHIP NO. 1 208-524-5454
Address: 2235 E 25TH ST STE 220
IDAHO FALLS ID 83404

2. Date of Priority: JUN 1, 1895

3. Source: BIG TIMBER CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	26E	17	SW	SW			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	3.240		

7. Total Quantity Appropriated is:
3.240 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
15N	26E	3	SE	SW		IRR	25.0
			SW	SE		IRR	32.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	57.0
		10	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
					Section Acres	80.0
					Total Acres	137.0

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.=136.6.

CHANGED OWNERSHIP 11/30/95/JT/EC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT H. ADAMS
Address: P.O. BOX 54
LEADORE, ID 83464

Name: OPAL C. ADAMS
Address: P.O. BOX 54
LEADORE, ID 83464
2. Date of Priority: JUN 01, 1895
3. Source: BIG TIMBER CREEK Trib. to: LEMHI RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	26E	17	SW	SW	SW		LEMHI
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
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7. Total Quantity Appropriated is:
3.240 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
15N	26E	3	SE	SW		IRR	25.0

A74-00032

Page 1

Date: 05/25/90

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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

RECEIVED
APR 30 1990

IDENT. NUMBER: 74-00032
DATE RECEIVED: 4-30-90
RECEIPT NO: X999999
RECEIVED BY: -----

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: ROBERT H. ADAMS
ADDRESS: P.O. BOX 54
LEADORE, ID

83464

NAME: OPAL C. ADAMS
ADDRESS: P.O. BOX 54
LEADORE, ID

83464

2. DATE OF PRIORITY: JUN 01, 1895

3. SOURCE: BIG TIMBER CREEK

TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
15N	26E	17	SW	SW			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	3.240		

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

A7400032

74-00032

PAGE

1

DATE: 02/08/90

76

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10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
15N	26E	3	SE	SW		IRR	25.0
			SW	SE		IRR	32.0
					SECTION ACRES		57.0
		10	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
					SECTION ACRES		80.0
					TOTAL ACRES		137.0

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.=136.6.

15. BASIS OF CLAIM: DECREE

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 X 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): Robert H. Adams DATE: 4/27/90
Opal C. Adams DATE: 4/27/90

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)
COUNTY OF Lemhi) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 27th DAY

OF April 19 90

Clara E. Ellis
NOTARY PUBLIC

SEAL

RESIDING AT Ledore, Idaho

MY COMMISSION EXPIRES 5-1-92
DATE: 02/08/90

74-00032

PAGE 3

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DEC 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

DECEMBER 1, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GUARDIAN LIMITED PARTNERSHIP NO. 1
2235 E 25TH ST STE 220
IDAHO FALLS ID 83404

RE: CHANGE IN OWNERSHIP FOR A74-00032, -00148,
-00868, AND -01801

Dear Sirs:

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

Enclosed are copies of the Notice(s) of Claim, 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 these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

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NOV 15 1996

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

NOV 30 1995

Department of Water Resources
Eastern District Office

DATE OF CLOSING: November 1, 1995

LEGAL DESCRIPTION OF PROPERTY:

TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN, LEMHI
COUNTY, IDAHO:

SECTION 3: SE1/4SW1/4, SW1/4SE1/4, SW1/4SW1/4

SECTION 4: S1/2SE1/4

SECTION 8: N1/2NE1/4, SW1/4NE1/4, NW1/4SE1/4, S1/2SE1/4, E1/2SW1/4

SECTION 9: ALL

SECTION 10: S1/2NE1/4, N1/2SE1/4, NE1/4SW1/4, E1/2NW1/4, W1/2NW1/4,
NW1/4SW1/4, N1/2NE1/4, S1/2SW1/4

SECTION 17: N1/2NE1/4, E1/2NW1/4, N1/2SE1/4, S1/2NE1/4, E1/2SW1/4,
SW1/4SE1/4

SECTION 20: NE1/4NW1/4

[] 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)

[X] Water Rights Number(s)
Assigned by IDWR:

74-00032 ✓

74-00148 ✓

74-00868 ✓ Stock & domestic

74-01801 ✓

[X] Name and Address of Former
Owner/Claimant(s)(Seller):

Robert H. Adams

Opal C. Adams

[X] New Owner/Claimant
(Purchaser):

Guardian Limited Partnership No. 1

[X] New Mailing Address:

2235 East 25th Street, Ste. 220

Idaho Falls, ID 83404

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NOV 15 1996

[X] New Telephone Number: (208) 524-5454

[] 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, warranty deed
describe proof attached: _____

[] Signature of New Larry Harwood, Secretary Date 11/27/95
Owner/Claimant(s) Ball Enterprises, Inc. Date _____
General Partner

[] Signature of Former Robert W Adams By Date C Adams Rep.
Owner/Claimant(s) Opal C Adams Date Nov 11, 1995
(Signature of former claimant(s) is not required if
proof of ownership is attached)

FOR IDWR USE ONLY:

EMC 30NOV95
Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Number of Split, if any:

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

G:\WPDATA\SEM2448\NPOWNERS:

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NOV 15 1996

RECEIVED

NOV 30 1995

Department of Water Resources
Eastern District Office

WARRANTY DEED

THIS INDENTURE is made this 8th day of May, 1995, by **ROBERT H. ADAMS and OPAL C. ADAMS, husband and wife**, the Grantors, and **GUARDIAN LIMITED PARTNERSHIP NO. 1**, an Idaho limited partnership, whose mailing address is 2235 East 25th Street, Suite 220, Idaho Falls, Idaho 83404, the Grantees.

WITNESSETH, that the Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantors in hand paid by the Grantees, the receipt whereof is hereby acknowledged, have granted, bargained, sold, and by these presents do grant, bargain, sell, convey, and confirm unto the Grantees, and to the Grantees' heirs and assigns forever, all of the following described property in the County of Lemhi, State of Idaho, to-wit:

TOWNSHIP 15 NORTH, RANGE 26 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO:

SECTION 3: SE1/4SW1/4, SW1/4SE1/4, SW1/4SW1/4

SECTION 4: S1/2SE1/4

SECTION 8: N1/2NE1/4, SW1/4NE1/4, NW1/4SE1/4, S1/2SE1/4, E1/2SW1/4

SECTION 9: ALL

SECTION 10: S1/2NE1/4, N1/2SE1/4, NE1/4SW1/4, E1/2NW1/4, W1/2NW1/4, NW1/4SW1/4, N1/2NE1/4, S1/2SW1/4

SECTION 17: N1/2NE1/4, E1/2NW1/4, N1/2SE1/4, S1/2NE1/4, E1/2SW1/4, SW1/4SE1/4

SECTION 20: NE1/4NW1/4

SUBJECT TO:

1. Easement to Lemhi Telephone Company, a corporation, for communication facilities and incidental purposes recorded March 6, 1969, as Instrument No. 110754, records of Lemhi County, Idaho.
2. Easement to Idaho Power Company, a corporation, for power lines and incidental purposes recorded April 13, 1992, as Instrument No. 214309, records of Lemhi County, Idaho.
3. The right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads or highways, dedicated and/or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.

EXHIBIT "B"

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NOV 15 1996

TOGETHER with all water, ditch, and water rights, and the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, any remainders, rents, issues, and profits therefrom; and all estate, right, title, and interest in and to the property, as well in law as in equity, of the Grantors.

TO HAVE AND TO HOLD the premises and the appurtenances unto the Grantees, and to the Grantees' heirs and assigns forever. The Grantors and the Grantors' heirs shall warrant and defend the premises in the quiet and peaceable possession of the Grantee and the Grantees' heirs and assigns, against the Grantors and the Grantors' heirs, and against every person whomsoever who lawfully holds (or who later lawfully claims to have held) rights in the premises as of the date hereof.

In construing this Warranty Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantors have executed the within instrument the day and year first above written.

Robert H. Adams
Robert H. Adams

Opal C. Adams
Opal C. Adams

STATE OF IDAHO)

County of Idaho) ss.

On this 8th day of May, in the year 1995, before me, the undersigned Notary Public in and for said state, personally appeared ROBERT H. ADAMS and OPAL C. ADAMS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Laurie M. Santee
Notary Public for Idaho
Residing at Salmon, Idaho
My commission expires: 6-19-1995

4/5/1989.

A CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Adams

CLAIM IDENT. NO.

A-74-00032

DATE RECEIVED

4-30-90

CK #

AMOUNT \$

exempt

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO N/A
- Is the consumptive use correct? ☐ YES ☐ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by:

[Signature]

Date:

5-11-90

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:
 Claim data entered by:
 Sent to claimant by:

[Signature]

Date:

Date:

Date:

5/20/90

Checked by:

[Signature]

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Comments: